ORDERS OF THE GOVERNMENT,

N.-W. PROVINCES AND OUDH.

Published by Authority.

VOL. I.



Allahabad:
NORTH-WESTERN PROVINCES AND OUDH GOVERNMENT PRESS.
1896.

PREFACE TO FIRST EDITION.

The object of this Manual is to exhibit the extant orders of the Local Government, classified under the several departments into which the proceedings of the Government are divided. The subjects in each department are arranged in alphabetical order, and a general index, irrespective of departments, is given at the end. Orders and notifications of the Government of India and departmental orders are printed in small type; but, as a rule, circulars and instructions issued by heads of departments subordinate to the Local Government, or by the High Court, have been omitted. The Board of Revenue's circulars, the Excise Manual, and the circulars of the Commissioners of Excise and Stamps should be consulted in all matters relating to land revenue, inland customs and excise, registration and stamps. In the Jail Manual and the revised edition of police circulars the departmental orders relating to prisons and to police will be found. The several Codes of the Financial Department, the Treasury Manual, and circulars of the Comptroller-General and Accountant-General must be referred to in all matters of pensions, leave, treasury work, travelling allowances, &c. These subjects do not properly come within the scope of this compilation, although some of the more useful orders are given.

As this is the first attempt yet made to bring together the orders of Government, omissions and mistakes are inevitable, and the arrangement might probably be improved. Officers are requested to communicate all

corrections or suggestions they may have to make to the Assistant Secretary to Government in charge of the Allahabad office.

The Manual has been brought as nearly as possible up to the 1st April. A few additional circulars will be found in volume II.

T. W. HOLDERNESS,
Asst. Secy. to Govt.

The 30*th April* 1878.

PREFACE TO SECOND EDITION.

In this edition the arrangement of the orders is in the main the same as that adopted in the first edition. Obsolete orders have been omitted and recent ones added, and the collection corrected up to 31st December 1881. A slight change has been made in the method of binding, and guard-slips have been left between the orders in each department. In future, orders issued during any quarter will be collected and issued in pamphlet form as soon as possible after the close of that quarter. These when received should be broken up, and the collection in each department inserted on the guard-slip immediately following the department in question. Every care has been taken to make this edition as complete as possible, so far as the orders of Government are concerned, but in such a collection omissions and mistakes cannot but have occurred.

Officers detecting such should bring the matter to notice, so that the mistake may be, if necessary, rectified in the succeeding quarterly supplement. All such communications should be addressed to the Assistant Secretary at Allahabad.

This edition was nearly completed before the receipt of the recent orders about deprovincialization, which will necessarily lead to important changes in many branches of the administration and the procedure which in some departments at present obtains Some time, however, will probably elapse before the full effect of

the measure will be realized, and as the greater part of this Manual will not be affected, its issue in its present form has been directed.

F. BAKER,

Offg. Jr. Secy. to Govt., N.-W. P. & Oudh.

The 31*st January* 1882.

PREFACE TO THIRD EDITION.

The chief alteration in this edition is in the numbering of the departments. The fourteen departments and the subjects dealt with in each have been re-arranged in accordance with their classification in the Secretariat, which is explained at page 7, Department III, of this Manual. Obsolete orders have been omitted, recent ones added, and the collection corrected up to 31st December 1888. It has been found necessary to include orders issued during the last quarter of 1888 in supplements, and guard-slips have been provided as hitherto for the insertion of supplements which may be issued in future.

The lists of rules and notifications having the force of law in the North-Western Provinces and Oudh, (Appendices I, II, and III of the previous edition) have been omitted, as the issue of a separate publication containing them has been directed.

ALLAHABAD: 14th February 1889.

W. H. L. IMPEY,
Under Secy. to Govt.,
N.-W. Provinces and Oudh.

PREFACE TO FOURTH EDITION.

The chief alteration in this edition is in the numbering of the departments. The numbers have been again re-arranged for convenience in the Secretariat, and follow the order described on pages 14-16 of Part III of this Manual. The main reason for issuing a new edition is to remove the great mass of supplementary orders and to insert them in their proper places, as well as to bring the Manual up to date generally. Corrections have been made to the beginning of 1895, and supplementary orders up to June 1896 will be issued as soon as possible.

P. HARRISON,

Under Secy. to Govt., N.-W. P. & Oudh.

The 26th June 1896.

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No. I.—REVENUE AND SCARCITY DEPT.

ADMINISTRATION.

Land Revenue. Rules regarding— Resolution No. [illegible], dated [illegible] 1876. ([illegible]).

Commissioners of divisions are authorized to remit on their own authority all balances of land revenue accruing on release (by competent authority) of muáfi lands which, having been resumed and assessed, have subsequently been released, giving notice of such action to the Board of Revenue and the Accountant-General. Commissioners are likewise empowered to grant remission of nominal balances caused by sanctioned reduction of the revenue demand; giving due notice, as above, to the Board and the Accounts Department.

Collectors of districts are required, when passing orders for attachment of estates (on accrual of arrears) under section 154, Act XIX of 1873, to make immediate report to the Commissioner of the division.

Commissioners [illegible] authorized to write off on their own authority [illegible] the extent of 5 [illegible] close of the year. [illegible] cent. of the rental, the Board of Revenue may direct the arrears to be written off. In all other cases the sanction of Government will be necessary.

In regard to *nazúl* property (the property of Government by confiscation, escheat, or otherwise) the following principles will be observed:—

(1)—*Nazúl* property *within* municipal limits will remain as hitherto under the supervision of Commissioners, who will submit direct to Government any proposals for the disposal of [illegible] property.

(2)—Of *nazúl* property *beyond* municipal limits, all consisting of *landed property* (*i.e.*, of land capable of being assessed to land revenue), will in future be placed under the management of the Board of Revenue, through whom all references on the [illegible] will be submitted. Such extra-municipal *nazúl* property as [illegible] not come under the foregoing (houses, shops, bazárs, &c.,) [illegible] dealt with in accordance with the orders in Dept. XII ([illegible]laneous).

Irrigation—Stoppage of water-supply.
Resolution No. 1676A, dated 26th September 1876. (Genl.)

UNDER no circumstances should stoppage of water-supply be resorted to as a punitive measure. Such a measure is virtually prohibited by law, inasmuch as it is not included in any of the cases in which stoppage is directly authorised; but attention cannot be too prominently drawn to its illegality.

The general power of directing stoppage of water-supply is reserved under the Act to divisional canal officers, but it rests with the sub-divisional officer to authorize temporary stoppage in cases of "pressing emergency." When a sub-divisional officer has occasion to act upon this authority, he should at once report the fact to his departmental superior, giving his reasons in full for the action thus taken.

It is understood that the rules above referred to will provide for the service of notice on the parties concerned of any stoppage of water-supply When the duration of such stoppage extends to a period of ten days or more, the canal officer will forward to the Collector of the district in which stoppage occurred a copy of such notice, with brief résumé of the grounds on which the stoppage was directed This measure is a very desirable one on many grounds, and if properly carried out it will tend to strengthen the hands of both district and canal officers in the discharge of their respective duties.

Extensions and changes of canal system.
Resolution No. 1676A, dated 26th September 1876. (Genl.)

UNDER existing practice the civil officers of Government are usually consulted, in connection with proposed extensions and changes of the canal system, in regard to works of greater importance. This principle should be extended so as to bring within the sphere of its operation all irrigation matters in any way affecting the various districts of the province. In this view reference will be made to the civil officers concerned in regard to all questions, large or small, connected with proposed changes in the canal system. Necessary changes in position of, or in distribution from, a village watercourse may be communicated by the Executive Engineer through his Superintending Engineer to the Commissioner of division, but all changes of greater extent and importance should be reported through the Secretary to Government for the opinion of the Board of Revenue and local officers.

Canal officers should bear in mind the great importance of their maintaining a proper understanding and cultivating a proper relationship with the civil officers who represent in the various districts the Executive Government; and district officers must recollect the very responsible position they occupy, and the importance of affording to canal officers on every occasion the benefit of their advice when consulted, and the support of their authority when required.

BREEDING STOCK.

Applications for breeding stock from Hissar cattle farm

THE following rules have been sanctioned by the Government of India for dealing with applications for breeding stock from the Hissar cattle farm :—

G O No. $\frac{1120}{I-166}$, dated 21st July 1886.

1.—Officers in charge of districts wishing to have bulls or rams sent to their *districts should submit requisitions to the Director* of Land Records and Agriculture through the Commissioner of the division before the 1st October each year. The requisitions should show—

(i) the number of bulls and rams received from the farm remaining in the district;

(ii) the number and date of those last received,

(iii) the breed of cattle and sheep preferred in those districts, showing whether the cattle and sheep are large or small;

(iv) the column of remarks should show the result of the breeding *from the Government bulls and rams in the district* during the past year, and the name of the [illegible] official who has been entrusted [illegible] the duty of [illegible]

No $\frac{1121}{I-167}$, dated 21st July 1886.

2.—The Director of Land Records and Agriculture after satisfying himself that the supply of the animals is desirable, and that their use for breeding will be carefully supervised and promoted, will, on receipt of the requisitions from district officers, draw up a consolidated indent for the whole province, for transmission direct to the Commissary-General, Panjáb Command, Rawal Pindi.

3.—The requisitions should be submitted early in October, so that the bulls and rams may be despatched from the farm in the cold weather.

4.—*Pro formá* credits in accounts will be given, *viz.*,—

	Rs.
For bulls	150 each.
„ rams	20 „

5.—*In the case of private individuals*, whether native zamíndárs or others, or Europeans, cash payment at the above values will be required, and the sale of bulls or rams will be at the discretion of the Superintendent of the Farm and the Commissary-General, Panjáb Command.

6.—About 62 bulls and 125 rams will be reserved annually for supply from the farm for breeding purposes, and they will be held

available in the first instance to meet the requisitions of officers in charge of districts, of which there are 30 in the North-Western Provinces and 32 in the Panjáb; but as it is not expected that anything like the number of bulls and rams to be held in reserve, with reference to the number of districts, will be applied for annually, a large number will be left for private parties.

7.—The Superintendent of the Farm will publish annually (in November), in the Lahore and Allahabad papers, the number of bulls and rams that will be available for breeding purposes after meeting the requisitions of officers in charge of districts, and the terms on which they can be obtained by private individuals.

8.—On applications being received, a memorandum of the terms, which should be printed and held in readiness in the Superintendent's office, on which the bulls and rams are available from the farm, will be sent in duplicate to the applicant if a private individual. One copy of the memorandum will be kept, and the other sent back to the Superintendent of the Farm accepting the terms, when the cattle will be sent off as may be requested, at the risk of the applicant.

CATTLE SHOWS.

WITH the object of stimulating private efforts in the direction of an improvement in the breed of cattle in these provinces, the Lieutenant-Governor and Chief Commissioner will be prepared to allot from provincial revenues Rs. 100 for every Rs. 300 subscribed in any one district, and spent *bonâ-fide* on prizes awarded for cattle at shows or fairs got up with this object. All references in connection with the subject and all applications for the subsidy should be submitted through the Director of Land Records and Agriculture.

Prizes for Cattle. Circular No 14, dated 24th March 1881.

Commissioners should also forward to the Director extracts from the reports of agricultural and cattle shows bearing on matters that concern his department.

G O. No. 377, dated 5th March 1881.

Whenever it is proposed to hold such a fair or show in any district, the Collector will send timely notice thereof to the Director, forwarding (with any other information) a prospectus of the proposed meeting. On all such occasions, whether he can arrange to be present or not, the Director should be constituted an *ex-officio* member of the managing committee. In this capacity he will have the best possible opportunity of assisting with advice in matters of cattle-breeding, agricultural implements, improvement of staples, and other subjects concerning which his department has acquired special knowledge.

Circular No. 16, dated 7th April 1881.

The Government prizes at district cattle shows should be distinct from those provided from district funds.

G O, No 780, dated 11th May 1881.

Taking Rs. 100 as the unit, the following are the classes of animals to which the Government prizes should ordinarily be awarded; the amounts to be given in each case being as noted below:—

	Rs.	a.	p.
(1) For the best pair of locally-bred bullocks for *bonâ-fide* agricultural purposes, 3 years old not less than inches in height ...	15	0	0
(2) For the second best pair of locally-bred bullocks for *bonâ-fide* agricultural purposes, 3 years old, not less than inches in height	10	0	0
(3) For the bull certified by the judges to be the be[illegible] agricul-tu[illegible] years old	20	0	0
(4) For the best cow certified by the judges to be the best fitted for breeding stock for agricultural purposes, locally bred and 3 years old	10	0	0

	Rs.	a.	p.
(5) For the second best cow	5	0	0
(6) For the best buffalo-cow	10	0	0
(7) For the second-best buffalo-cow ...	5	0	0
(8) For the bes[illegible] bullocks, [illegible] locks, 3 [illegible] in height	15	0	0
(9) For the second best	10	0	0

In cases where a limit of height has been suggested, the exact limit should be fixed by the district committee with regard to the particular circumstances of each locality. All winners should receive a certificate showing the names of the breeder and owner and the place where bred, and stating that no prize has been previously awarded to the animal.

No animal should win a money prize more than once; but in case of a second success an honorary certificate can be given. Prizes for locally-bred cattle should be given to zamíndárs and cultivators only.

The above directions are not to be considered as hard-and-fast rules. The details should be settled by the district officers in consultation with the Director of Land Records and Agriculture. If in any one of these classes none of the animals exhibited are considered worthy of a Government prize, the sum allotted may be given by the committee as a special prize to any animals that are considered worthy of special encouragement, but the prize should be withheld if there are no animals exhibited that are considered by the judges to be really deserving of reward.

The award of all prizes should be arranged for by the district authorities in communication with the Director, to whom they should look for aid and advice, and whose opinion on these matters should carry great weight.

CROPS AND WEATHER.

Crop and Weather Reports.

No. 116, dated 21st August 1879.

In ordinary times weekly telegraphic reports are received on every Wednesday before 2 P.M. from the undermentioned districts only:—

Benares Division.	Cawnpore.
Benares.	Jhánsi.
Ballia.	*Agra Division.*
Gorakhpur Division.	Agra.
Gorakhpur.	Farukhabad.
Fyzabad Division.	*Rohilkhand Division.*
Fyzabad.	Bareilly.
Partábgarh	Moradabad.
Lucknow Division.	*Kumaun Division*
Lucknow.	Almora.
Sitapur.	*Meerut Division.*
Rae Bareli.	Aligarh.
Allahabad Division.	Meerut.
Allahabad.	Sahâranpur.
Bánda	

In times of scarcity or famine the number will be temporarily increased.

Government of India Resolution No. [illegible], dated [illegible] October [illegible]; N.-W. Provinces and Oudh, G. O. No. [illegible], dated 31st January [illegible] and No. [illegible], dated 5th August 1881.

Every one of the appointed districts should send its telegram regularly without fail. Summaries of all the facts which have an important bearing on the character of the season and the crops of the province are telegraphed by the Local Government for the information of the Government of India. The summaries (for compilation of which the district reports should contain proper material) are to indicate the general character of the rainfall of the week, and the tracts in which the rainfall up to date has been insufficient. They are to describe the progress of agricultural operations, the state of the standing crops, and the prospects and probable outturn of the harvests. A brief account is to be sent of any serious damage done to crops by insects, blights, hailstorms, floods or other natural calamities, and the condition of agricultural stock, any failure of pasturage or fodder and water, and marked fluctuations in the price of food-grains, are to be stated. In times of scarcity, particulars are also required regarding the areas affected, the number of people under relief, and the state of the food-stocks. The condition of the opium crop is at all times to be specially noticed, and information may be given in regard to other crops of commercial importance. The appearance and movements of locusts should also be noticed in such detail as may be convenient. Any further agricultural matters, judged of interest or importance, may be reported when thought advisable.

The district telegraphic reports will be published in the *North-Western Provinces and Oudh Gazette.* The Government of India has called special attention to the fact that the main object of these telegrams is to show from week to week, in a brief and succinct form, the actual conditions and prospects of agriculture in each district, and that they are not intended to contain a notice of any facts which have no connection with, or bearing on, agricultural circumstances and prospects.

The use of vernacular terms in these reports is to be carefully avoided, except when they are indispensable to convey the meaning.

DRAINAGE.

I.—In canal-irrigated districts.

Drainage Rules regarding projects for—Circular No. 20 A., dated 9th June 1875.

WHEN a Collector considers that a tract of land (outside of municipal boundaries) requires drainage, he shall communicate his views, and the reasons and facts on which they are based, in writing, to the Canal Executive Engineer, and request him to examine the scheme.

After necessary discussion with the Collector, the Canal Engineer shall (unless the Collector, in writing, may modify or withdraw his request) with all convenient expedition, examine the proposal and draw up a report on the causes of obstruction, the means by which relief can be afforded, and the approximate estimated cost of carrying it out; but detailed estimates will not be prepared at this stage. The Executive Engineer shall further record his opinion on the expediency of the project

The report shall be furnished to the Collector, who shall forward it to the Commissioner for consideration. If, in the opinion of the Collector, the proposed drainage work has not been rendered necessary in consequence of the obstruction of drainage caused by works undertaken in the Irrigation Branch, and he is of opinion that the the case is one in which a rate on lands benefited might properly be imposed under section 59 of the Northern India Canal and Drainage Act (VIII of 1873), he shall furnish an approximate estimate of the sum which such rates might be expected to yield.

The Commissioner shall send on the report with his opinion to the Superintending Engineer, who shall deal with it as follows:—

(a.)—Return the project to Commissioner for necessary orders, if Superintending Engineer agrees with the Commissioner that the execution of the project is not advisable.

(b.)—Sanction the project, with such professional amendments as may be requisite, and return it to Executive Engineer for execution when funds are procured, if approved by both Commissioner and Superintending Engineer, and within the limit of powers of sanction of the latter officer.

(c.)—Submit the project for the orders of Government in the Irrigation Branch in all other cases.

In all cases under (b) and (c) Superintending Engineer will communicate copy of his proceeding in the case to the Commissioner.

All cases submitted to Government will be considered in the Irrigation Branch in the usual way, if either the Commissioner or the Superintending Engineer, or both, recommend that the land

should be drained. After consideration in the Irrigation Branch and with the concurrence of the Revenue Department, the orders of Government will issue in the former department to the Commissioner and to the Superintending Engineer for the information and guidance of all concerned.

In forwarding these papers no copies should be taken, in any office through which they pass in progress to Government, of any documents, save such as are added by such office as the papers go through it.

II.—*In districts which are not irrigated by canals.*

The Collector will in this case report his proposal, with all needful details, to the Commissioner direct, with the opinion of the District Engineer, and an estimate of cost, for transmission to Government in the Revenue Department in which orders will issue after consultation with the Irrigation Branch.

EDUCATION AT ROYAL AGRICULTURAL COLLEGE, CIRENCESTER.

Method of selection of candidates
G. O No. $\frac{7-8}{174}$, dated 20th May 1886.

[illegible] from societies and [illegible] vernment for candi- [illegible] nd for the purpose of studying agriculture at the Royal Agricultural College, Cirencester, and in two instances such aid has been given. It may be anticipated that other applications will be made, and it is therefore advisable to lay down a definite mode of procedure in such cases, both as to the number of students to be aided by the Government and the method of selecting them.

The following rules have been sanctioned and circulated for the information of Commissioners and district officers :—

(1) The Government will undertake to pay one-half of a candidate's total expenses under all heads, including travelling expenditure to England and back, provided that its liability is limited to a maximum of Rs. 4,000. The remaining share of the expenses must, before the candidate leaves India for England, be deposited by him or his friends in the Government treasury, or be otherwise secured to the satisfaction of the Government. Periodical remittances will be made by the Government.

(2) Selection of a candidate will be made once in two years, not oftener.

(3) The selection of the candidate for recommendation to the Government shall rest with the Director of Public Instruction and the Director of Land Records and Agriculture, who shall be required to obtain medical testimony to the physical fitness of the nominee, and shall satisfy themselves of his good character, and fitness generally to be sent to England.

(4) The candidate must ordinarily have obtained the degree of B A. ; but an exception may be made in regard to this educational qualification on very special proof that the candidate possesses a good knowledge of the English Language. Possession of the degree of B A. in physical science will give a candidate a preferential claim to selection over all other graduate candidates.

(5) The selected candidate shall, before proceeding to England, work as an apprentice at the Cawnpore experimental station, or at a demonstration farm, for 10

months, from June to April, *i.e.*, through both the kharif and rabi seasons.

(6) It must be clearly understood that education at the Royal Agricultural College, Cirencester, does not constitute a claim to Government service in India, and that the Government does not guarantee employment under itself to students assisted under these rules; also that the rules are liable to be varied hereafter.

EMIGRATION.

Emigration beyond the limits of British India. G O No $\frac{819 \text{ and } 1676}{I-765}$, dated 29th May and 2nd December 1886, respectively.

THE following instructions were issued by the Local Government on the subject of the Emigration Act of 1883.

Under section 16 of Act XXI of 1883 the North-Western Provinces and Oudh are to be included in the local area to which the authority of the Protector of Emigrants at Calcutta extends. But ... and control of that officer are necessarily confined ... can be super- ... control of the recruitment, registration and despatch of emigrants to depôts rests with Magistrates of districts, who are responsible for seeing that the provisions of the law and rules are duly observed, and that abuses are prevented or remedied.

The Act does not provide for the appointment of a Provincial Inspector, and it does not seem necessary at present to make any such executive arrangement. References to the Government on the subject of colonial emigration by officers serving under this Government should be addressed, through Commissioners, direct to the Chief Secretary, unless for any particular reason it is thought necessary to submit them through the Protector of Emigrants at Calcutta

Recruiters are licensed by the Protector of Emigrants, who will, before granting a license, require satisfactory evidence of character from the Magistrate of the district in which the recruiter resides. The ... must be countersigned by the Magistrate of the ... o work. As the law now stands ... himself, before countersignature, that the recruiter is a person of proper character, and that he has provided suitable accommodation for the emigrants whom he may collect. The rules (chapter II, section 2) lay down the nature of the accommodation required and the supervision to be exercised over sub-depôts, and define the officers by whom it is to be exercised. The Magistrate is further empowered by section 24 of the Act to cancel his countersignature, should he find that the recruiter is unfitted, by character or otherwise, for the discharge of his duties, or that suitable accommodation is not available

It will be observed that the reasons for refusing or cancelling countersignature should be reduced to writing, and the fact communicated to the Protector of Emigrants A judicious exercise of these powers will enable District Magistrates to prevent misconduct on the part of recruiters, and to secure proper treatment of the labourers recruited, without imposing any unnecessary hindrance on the proper and legitimate work of recruiting.

Under Act XXI of 1883, the local Government is empowered to appoint any person or class of persons by name or virtue of

office to be registering officers The Lieutenant-Governor and Chief Commissioner has accordingly been pleased to appoint the following classes of persons :—

Magistrates of districts.

Magistrates in charge of a sub-division of a district.

All Joint and Assistant Magistrates exercising the full powers of a Magistrate.

All Deputy Magistrates exercising the full powers of a Magistrate.

The Civil Surgeon of Meerut.

The Civil Surgeon of Azamgarh.

The Civil Surgeon of Sitapur.

The Civil Surgeon of Gházipur.

The Special Sub-Registrar of Benares

The proceedings of all registering officers will be under the [illegible] District Magistrate, and the [illegible] subordinates, should, as far [illegible] this duty by a senior and experienced officer.

A formal agreement has to be executed after the register has been filled up and signed This agreement will be on a form (No. 5 of the rules) to be supplied by the Emigration Agent; and full directions for its execution and disposal will be found in the Act and Rules. The directions for the registration of emigrants and their dependents should be carefully observed.

The functions which may be exercised by a Magistrate specially appointed under section 99 of the Act are—

(1) to call on a recruiter to produce his license [section 20 (3)];

(2) to call on a recruiter to produce the terms of agreement which he is authorized to offer [section 26 (3)];

(3) to approve the person placed in charge of emigrants and to certify such appointment [section 47 (2 and 3)];

(4) to sanction prosecutions under section 93 [section 96(*b*)]. According to the definition of the Act [section 6(4)], these powers can be exercised by any District or Sub-divisional Magistrate; and the Lieutenant-Governor and Chief Commissioner has been further pleased to confer them on—

(1) all Assistant and Joint Magistrates exercising full powers;

(2) all Deputy Magistrates exercising full powers

It will rest with the District Magistrate to carefully superintend the exercise of these powers by his subordinates.

It will be observed that, of the rules framed under section 80 of the Act, only the first two chapters have any practical concern with these provinces Of the six forms prescribed for use in this portion of the rules, No. 5 [illegible] will, as already observed, be supplied by t[illegible] can be obtained on indent from [illegible] Press, Allahabad.

By notification of the Governor-General in Council, No. 121E, dated 1st April 1886, and published in the *Gazette of India* of 3rd April 1886, the fee payable for the preparation of an agreement (section 38) has been consolidated with the fee payable under section 73; and the amount of the consolidated fee has been fixed at Rs. 2-8-0. Instructions as to the realization of this fee have been conveyed in G. O. No. $\frac{5043\text{-}4}{X\text{-}376}$, dated 14th October 1886 [*vide* orders in Department X (Financial)]

Colonial emigration rules framed by Government of India.

(Published in Government of India, Revenue and Agricultural Department, Notification No 94E, dated 18th March 1886, as amended by Notification No $\frac{2443}{25}$, dated 12th October 1892.)

A revised set of these rules was circulated to Commissioners and District Officers with G O. No. $\frac{3437}{I\text{-}365}$, dated 20th December 1892 Such of the rules as apply to these provinces are reproduced below

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CHAPTER I

GENERAL RULES.

Introduction.

IN exercise of the powers conferred by section 80 of the Indian Emigration Act, 1883, the Governor-General in Council is pleased to make the following rules to regulate the engagement and transport of emigrants

and dependants, as defined in the said Act, to the colonies authorized to import Indian labour :—

Inclusion of schedules and forms in the rules.

1. The schedules and forms attached to these rules are prescribed for the several purposes specified in the heading of each, and shall be taken as part of the rules.

Provision for dependants.

2. The same provision in every respect shall be made for the welfare of dependants of emigrants as for that of the emigrants themselves : and all rules regulating the treatment and transport of emigrants shall be applicable to their dependants also.

Correspondence with Government

3. Correspondence with a local Government, in connection with emigration matters, shall ordinarily be conducted through the Protector of Emigrants appointed by that Government, or through such other channel as that Government may prescribe in that behalf.

Submission of monthly returns

4. A return, showing the number and description of emigrants and their dependants embarked for the colo- [illegible] each month at each port shall be submitted by [illegible] the Local Government concerned with [illegible] for which the return is due.

Submission of annual reports.

5. The submission of annual reports by emigration officers shall be regulated as follows :—

(*a*)—Every Medical Inspector of Emigrants shall forward his report to the Protector of Emigrants within two *months of the* expiry of the year to which the report relates. The report shall treat of the following points, namely—the condition of the *depôts ; the state of* health of the emigrants accommodated therein ; the sufficiency of hospital and other medical arrangements ; *the* cause of any epidemic disease ; and the precautionary measures adopted against its spread.

(*b*)—Every Protector of Emigrants shall, not later than six months after the close of each calendar year, submit to the Local *Government* his report for that year. The report shall review the history of emigration during the year, noticing all *points of* importance ; and shall furnish such particulars as may from time to time be required by the Local Government.

CHAPTER II.

RECRUITMENT.

Section I.—Recruiting licenses.

Application for recruiter's license.

6. Every Emigration Agent, desiring to obtain a license (form No. 1) for any intending recruiter, shall forward an application on his behalf to the Protector of Emigrants concerned, and shall send therewith a certificate of good character in form No. 2, obtained from the Magistrate of the district or Commissioner or Deputy Commissioner of Police of the Presidency or town of which the intending recruiter is a native or resident of long standing. The license of a recruiter who shall have recruited labourers in any district shall not be countersigned under [illegible]

labourers, with a certificate to the effect that the operations of the license-holder have been conducted in a satisfactory manner.

COLONIAL EMIGRATION FORM No. 1.

Form of Recruiter's License

No. Office of the Protector of Emigrants at the Port of , described in the descriptive roll annexed, is hereby licensed under the Indian Emigration Act, 1883, to be a recruiter of emigrants for [*here state the country for which the recruiter is licensed to recruit*] in [*here specify the local area within which the recruiter is licensed to recruit*].

This license will be in force until the of unless previously cancelled.

Dated the day of *Protector of Emigrants*

Descriptive roll.

Name	Father's name.	Age		Caste	Colour.	Height.		Distinguishing marks	Name of village, local sub-division (taluk, &c.) and district to which recruiter belongs.
		Years.	Months.			Feet	Inches		

COLONIAL EMIGRATION FORM No. 2.

Form of Certificate of Intending Recruiter's Character.

Descriptive particulars of————————, intending recruiter.

Name.	Father's name.	Caste.	Age	Height		Residence.			Full particulars as to bodily marks and general appearance for purposes of identification.	Remarks.
				Feet	Inches.	District.	Thana	Village or town and muhalla		

CERTIFIED that the above named appeared before me, and that the inquiry made regarding him has elicited nothing against his employment as a recruiter of emigrants.

DATED AT
The 18 . } *Magistrate of*

MEMO.

THE undersigned requests that the Magistrate of will grant the above certificate to , if there is no objection to his employment.

DATED AT
The 18 . } *Emigration Agent for*

Application for renewal of license.

7 If the renewal of a recruiting license, the term of which has expired, be desired, the Emigration Agent shall forward with his application the expired license, and a certificate in form No. 3 by any District Magistrate of the identity of the recruiter concerned; or shall cause such recruiter to attend at the office of the Protector for identification, when the application for renewal of license is made.

COLONIAL EMIGRATION FORM No. 3.

Form of Certificate of Recruiter's indentity.

CERTIFIED that , recruiter, appeared before me this day, and was identified by comparison with the

particulars endorsed on his expired license No. dated the 18 , hereto annexed. He answers to his descriptive roll in all respects.

DATED AT
The 18 . } *Magistrate of*

MEMO.

THE undersigned requests that the Magistrate will grant the above certificate to , if satisfied as to his identity.

DATED AT
The 18 . } *Emigration Agent for*

8. If an Emigration Agent desires a license for any recruiter of another agency, whose services are no longer required by that agency, he shall forward to the Protector of Emigrants, with his application for the license of the recruiter, the unexpired license with an endorsement thereon by the Agent of the other agency, to the effect that the services of the recruiter are no longer required by him.

Application for transfer of license.

8A. All Emigrant Agents shall without delay intimate to the Protector, for the information of Government, any changes which they may be authorized by the Colonial Governments to make in the terms offered to intending emigrants.

Alteration of terms of recruitment.

Section 2—Sub-Depôts.

9. The places of accommodation provided for intending emigrants or immigrants by recruiters shall, for the purpose of these rules, be called sub-depôts, and over the entrance and door of every sub-depôt shall be conspicuously fixed a board with the words "Emigration sub-depôt for —— Colony" inscribed thereon in English and the vernacular language or languages of the district.

Definition of sub-depôt.

10 The accommodation provided in sub-depôts shall be considered sufficient if the emigrants are kept in such manner as would be considered comfortable by persons of their condition in the district where they are recruited. The following points shall, however, invariably be insisted on:—

Sub depôt requirements.

(a)—Perfect cleanliness both of the premises and of the inmates;

(b)—Sufficiency of accommodation for the largest number of persons likely to be located in the sub-depôt at one time. The number that the premises are capable of holding will be determined by the District Civil Surgeon or by the Medical Officer of the sub-division, in which the sub depôt is situated, and inscribed on a board conspicuously hung up for the information of visiting officers.

(c)—A plentiful supply of good water within a reasonable distance.

(d)—Proper conveniences for purposes of nature and for bathing; and, when rendered necessary by the number of persons likely to be received, suitable latrine accommodation.

(e)—Proper arrangements for the exclusion from the depôt of all contagious diseases: for the report to the medical authorities of the district of any cases of contagious diseases occurring within the sub-depôt; and for the prevention of the spread of such diseases should cases occur.

(f)—The exclusion of all women, who are not intending emigrants or immigrants, from the sub depôt premises, without special permission of the District Magistrate.

(g)—The exclusion of *parda-nashin* women from the sub-depôt premises under all circumstances.

(h)—The provision of accommodation for single women and married couples, apart from that for single men.

(i)—The keeping by the person in charge of the sub-depôt of an inspection book in which inspecting officers may write their remarks; and its immediate production whenever required.

i (a).—The keeping by the recruiter or person in charge of the sub-depôt of a register containing correct entries of the following particulars in regard to all intending emigrants received therein—first, of the date of their admission; secondly, of their descriptive particulars, such as name, father's name, sex, age, caste and name of native village, together with that of the district and thana in which it is situate (so as to enable friends to trace them); thirdly, of the date of their removal or departure from the sub-depôt; and fourthly, of the reason of such removal or departure (for the information of the District Officers and Emigration Agent concerned), and the immediate production of such

register when required by an Inspecting Officer or by any one duly authorized by an Inspecting Officer to see it.

(*j*)—The entry in the inspection book by that person of a list of his servants and of all changes which may from time to time require to be made in such list, and the exclusion from the sub-depôt of all persons other than the servants so entered, emigrants, intending emigrants and persons entitled by law to demand admitance.

Sub-depôt register.

10-A. Whenever any registered emigrant is removed from the district of registration to a sub-depôt in any other district for the purpose of being forwarded therefrom to the depôt of the Emigration Agent concerned, but is not so forwarded owing to physical unfitness or irregular recruitment, the person in charge of such sub-depôt shall pay to such emigrant reasonable compensation, not being less than his reasonable expenses for his return to his home in the district of registration.

Inspection of sub-depôt.

11. All District Magistrates and Magistrates in charge of sub-divisions shall, at least once in every month, visit and inspect all sub-depôts situated at the headquarters of their respective jurisdictions, or shall cause such depôts to be inspected at least once in every month by a Magistrate subordinate to them, or by an officer of police of rank not lower than that of an Assistant District Superintendent In the town of Madras the Commissioner of Police shall cause such depôts to be inspected at least once in every week by an Inspector of Police. On the occasion of such inspections special attention should be directed to the points mentioned in rule 10 and to the health and general well-being of the inmates of the sub-depôt. The register kept in the sub-depôt shall be regularly tested by the officer inspecting the sub-depôt under this rule.

Such visits should take place without notice and at irregular intervals.

Exercise of power conferred on officer of police.

12. The power which may be conferred on an officer of police under section 27, sub-section (3), of the Act may be exercised by a District Superintendent of Police or by an Assistant Superintendent of Police, but by no other officer of police.

Section 3.—Registration.

Register for registrations.

13. Every registering officer shall keep a register in form No. 4 for the registration of intending emigrants.

COLONIAL EMIGRATION FORM No. 4.

Register of Emigrants recruited in the district of ———— *during the year* 18 .

Recruited by ———— License No ———— for the Colony of ————

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
	Registration.		Emigrants.		Dependants.						Residence.			Successor to estate in *India*			Colonial address				
Serial No. of presentation.	Date.	Serial No.	Name.	Father's name.	Name.	Relationship to labourers.	Sex.	Age.	Caste.	Occupation.	District.	Thána.	Village or town and muhalla	Name	Father's name.	Relationship	Serial number in nominal roll (list)	Name of ship.	Year in which sailed	Colony	Remarks

Correct and legible entries in register.

14. Particular care shall be taken that the writing in the register is very legible, and that vernacular names are correctly transliterated.

Affixing of serial number to all entries.

15. The serial number in column 1 of the form shall be affixed to all entries of persons presented for registration in the order of such presentation The serial number in column 3 shall be affixed only to the entries of persons actually registered.

Examination of emigrants to be registered.

16. Every registering officer, before whom any person is brought for registration as an intending emigrant, or as the dependent of such emigrant shall, apart from the recruiter or other person interested in having the registration executed, examine such person on the points set forth in sections 31—33 of the Act.

Entries of particulars of registered emigrants

17. As each person brought to be registered by the recruiter is examined and passed for registration by the registering officer under section 31, the particulars regarding such person shall be entered in columns 1 to 17 inclusive of the register by the registering officer himself, or by a member of his office establishment, and the work shall not be made over to the recruiter or to any other person.

Entries of dependents of registered emigrants.

18. If an intending emigrant has dependents, particulars as to their names, age, and relationship to the emigrant, shall be entered in the appropriate columns of the register separately and immediately following the entries regarding the emigrant on whom they are dependent.

Procedure on disacknowledgment of any next of kin.

19. If an intending emigrant states that he has no next of kin in India, an endeavour may be made to obtain the name of some respectable man in his native village, such as the headman or chief raiyat; and such name may be entered in the register under the column for successor to estate in India, a note explaining the matter being made in the "remarks" column

Registration of postponement cases.

20. If in a case in which registration has been postponed under section 32(2) of the Act, the registering officer subsequently decides to register the woman, she shall be treated as a freshly brought up intending emigrant, and particulars regarding her shall be entered in the register of emigrants.

20 (A) Whenever any intending emigrant is not registered owing to rejection on account of physical unfitness or irregular recruitment, the recruiter shall make such provision as the registering officer may deem necessary for the return of such emigrant to the place at which he was recruited.

Provision for rejected emigrants

21. Emigrants registered on behalf of any agency, but not required owing to recruiting operations having been closed for the time being, or other cause, may be transferred to the recruiters of other colonial agencies for re-registration; provided that the emigrants consent to the transfer, after being given to understand that, if unwilling to be transferred, they are entitled at their option to be discharged, or to be returned to the districts of registration.

Transfer of unrequired emigrants by re-registration.

22. If any emigrant be transferred in the district of original registration, such transfer shall be entered in the column for remarks against the name of such emigrant If any emigrant be transferred elsewhere than in the district of original registration, the particulars of such transfer shall be forwarded by the officer finally registering such emigrant to the officer who originally registered such emigant through intermediate registering officers, if any.

Entries of transfer particulars

23. Clerks in charge of registration work may receive remuneration at rates fixed by the local Government.

Remuneration of registering clerks

Section II—Agreements.

24 After the register has been filled up and signed, the agreement forms shall be filled up and signed, in triplicate, under section 35.

Execution of agreement

25. The agreement form shall be filled up with as much care as regards accuracy of spelling and legibility of writing as the original register.

Careful preparation of agreement.

26. The agreement for execution by intending emigrants shall be in form No. 5, and the requisite supply of these forms shall be provided by Emigration Agents, when emigrants are taken before *registering officers for registration and for* the execution of their agreements. The forms shall be printed correctly and clearly, and on substantial paper; and registering officers shall refuse to fill up forms which do not accord with these conditions.

Supply of forms of agreement

COLONIAL EMIGRATION FORM No. 5.

FORM OF AGREEMENT FOR INTENDING EMIGRANTS.

Particulars of emigrant executing a contract for service in ____________

Registration.		Emigrants.		Dependants.						Residence			Successor to estate in India		
Date.	Number.	Name.	Father's name	Name	Relationship to labourer	Sex	Age	Caste	Occupation	District	Thána	Village or town and mahalla	Name.	Father's name.	Relationship.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16

I agree to emigrate on the condition of service specified on the reverse.

Executed in my presence. (Signed)

Emigrant

(Signed.)

(name and designation.)

Dated the

Registering Officer.

N.B.—This form is to be filled up in the office of the registering officer in English in triplicate.

(Reverse.)

Conditions of Service.

Period of service.	Nature of labour.	Number of days on which the emigrant is required to labour in each week.	Number of hours in each day during which he is required to labour without extra remuneration.	Monthly or daily wages or task work rates.	Conditions as to return passage	Other conditions, if any.

I agree to accept the person named on the face of this form as an emigrant on the above conditions.

Recruiter.

for

In my presence

Registering Officer.

Dated at

N.B.—The above conditions to be printed in English and in the Vernacular language or languages sepcified in Rule 28 for the province.

27. The copy of the particulars registered concerning the intending emigrant and dependants, if any, under section 31 (*see* section 36), and printed on the face of the agreement form, shall be in English.

Entries of registration particulars in English.

28. In the copy of the agreement given to the emigrant, the conditions of service printed on the reverse (*see* section 36) shall be in English and, among those prescribed below for each province, in the language, if any, which is best understood by the emigrant—

Entry of conditions of agreement in best understood language

For Lower Provinces of Bengal	in Bengali or Hindi.
,, North-Western Provinces and Oudh,	,, Hindi and Urdu.
,, Panjáb	,, Urdu.
,, Central Provinces	,, Hindi and Marathi
,, Bombay	,, Marathi.
,, Madras	,, Tamil, Telugu or Malayalam.

29. When a dependant is registered, no agreement shall be required from him. A copy, however, of the particulars entered in the register regarding such dependant (*see* rule 18) shall be included in the copies of the agreement intended for the Protector and Emigration Agent; and shall also be entered in the copy of agreement given to the emigrant himself. (*See* section 37.)

Non-requirement of agreement from dependant

30. At the time of embarkation, each emigrant shall present his copy of the agreement to the Emigration Agent for inspection

Disposal of copy of agreement of embarked emigrants.

31. If any emigrant shall, after registration, fail to embark, the Protector of Emigrants shall notify the fact and the cause of non-embarkation to the Magistrate of the district of registration within six months of its occurrence.

Notice regarding non-embarked emigrants.

32. The Magistrate of the district on receiving information under the preceding rule of the non-embarkation of an emigrant, shall cause the particulars therein furnished to be entered in column 22 of the Register of *Emigrants in which the emigrant was registered.*

Disposal of notice received under rule 31 by Magistrate of district of registration.

33. Within six months after embarkation, the Protector of Emigrants shall furnish to the Magistrate of the district of registration the particulars of emigrants embarked, in order that those particulars may be noted by the registering officer concerned in columns 18—21 of Colonial Emigration Form 4.

Protector to furnish Magistrate of district of registration with particulars of emigrants embarked within six months after embarkation.

34. The returns A and B showing the monthly registration of emigrants and the receipts and expenditure under Act XXI of 1883 shall be regularly forwarded by District Magistrates or registering officers to the Protector of Emigrants concerned.

A.

Statement showing number and particulars of Emigrants registered in the district of _________ for Colonial Emigration Agencies under Act XXI of 1883 during the month of _________ 18

1	2	3							4	5	6	7
Serial number of batches.	Date of registration.	NUMBER REGISTERED							Name of recruiter through whom registered.	Name of Colonial Agency for which registered.	Number and date of memorandum covering copies of agreements forwarded to Protector of Emigrants.	REMARKS.
		Adults of and above 16 years.		Non adults				Total souls.				
				Children from 2 to 16 years		Infants under two years						
		Male	Female	Girls	Boys	Female.	Male					

B

Statement showing number of Emigrants registered in the __________ district and amounts received and disbursed in connection with Colonial Emigration under Act XXI of 1883 during the month of ________ 18 .

Names of Colonial Agencies.	NUMBER OF EMIGRANTS REGISTERED.							RECEIPTS.												DISBURSEMENTS.															REMARKS.
	Adults of and above 16 years.		Non-adults.				Total	Miscellaneous receipts.									Total			Remuneration to registering clerk			Miscellaneous payments.												
			Children from 2 to 16 years.		Infants under two years			Fines															Refunds									Total.			
	Male.	Female.	Boys	Girls	Male.	Female.		Rs	a	p	Rs	a	p.	Rs.	a.	p.	Rs	a.	p.	Rs	a.	p.	Rs	a.	p	Rs	a.	p.	Rs.	a.	p.	Rs	a.	p.	

Section V—Index.

Index to names of registered emigrants.

35. Every registering officer shall keep an alphabetical index in Form No. 6 of the names of the emigrants registered by him.

COLONIAL EMIGRATION FORM No. 6.

Form of index to names of Emigrants registered in the district of

Name of emigrant.	Father's name.	Year of registration.	Serial number in register.*

CHAPTER VI—RETURNED EMIGRANTS.

Disposal of deceased emigrants' property

205. On receipt from the Emigration Agent of the effects of any deceased emigrants, the Protector shall enter all such effects in a register of deceased Emigrants' Estates in Form No 58, and, after disposing to the best advantage by private or public sale of any miscellaneous articles, shall, pending inquiry of heirs, deposit in the Treasury Department of the Bank of Bengal or Madras, as the case may be, the aggregate amount at credit of the estate.

Enquiry for legal heirs.

206. The inquiry for relatives entitled to succession shall be made by the Protector of Emigrants through District Officers; and if such relatives are traced, the Protector shall withdraw the amount deposited in the Bank, and shall transmit it to the District Officer concerned for payment to the person or persons reported by him to be the legal heir or heirs to the estate.

Provided that where the unsold property of the deceased and the deposit in the Bank to the credit of his estate exceed three hundred rupees in value, the District Officer shall not be bound to deliver the property or pay the money to the person or persons reported to be the legal heir or heirs except on the production of probate, letters of administration, certificate or other satisfactory evidence of title.

CHAPTER VII.

Records.

Custody of records.

208. The Magistrate's office shall be a central office of record for each district, and in January of each year the register of emigrants recruited (Form No. 4) and the index (Form No. 6) kept at all subordinate offices during the previous calendar year shall be transmitted to the central office.

Maintenance of certain records in perpetuity.

209. The following returns and registers shall be kept in perpetuity :—

In the office of the Magistrate of the district.

Register of emigrants recruited (Form No. 4).

Index to ditto (Form No. 6).

Supplementary Directions and Instructions, dealing with the preparation of Forms Nos. 4 and 6, and with other matters

G. O. No $\frac{155}{1-65}$, dated 27th January 1890.

Attention is drawn to the fact that the register (Form No. 4) and the index (Form No. 6) prescribed by Rules 13 and 35 respectively of the rules made by the Governor-General in Council under the Indian Emigration Act are annual forms. New forms should be opened on the 1st January of each year, the returns of the previous year being recorded. A separate register in Form No. 4 must be maintained for each colony for which emigrants may be recruited, or if more convenient, a certain number of pages in a single register may be reserved for the entries relating to each colony. In column 1 there will be a separate series of numbers for each colony, commencing with Serial No. 1 in the new registers at the commencement of each year. A separate alphabetical index must be maintained in similar manner for each colony.

Care should be taken to fill up the entries in columns 18—21 of Form No. 4, in accordance with the provisions of Rule 33 (page 27) as by this means a coolie who has emigrated can generally be traced. A coolie's colonial address is always known in the colony where he may be settled so long as his indenture lasts. This is secured by an elaborate set of [illegible] what is called "ship numbers". E[illegible] ship number. Thus, suppose [illegible] nidad in the year 1882, in the ship called [illegible] that he was No. 46 in the list of that ship, his ship number will be 46, "Hermione," 1882 (of columns 18—21), and if a letter be addressed—

HARBANS, son of MADARI,

46, "Hermione," 1882,

Care of Emigration Agent for Trinidad, Calcutta,

and posted, it will in all probability find the emigrant, if he is alive.

If the district in which an emigrant was registered is not known, the emigrant's colonial address can probably be obtained from the Emigration Agent at Calcutta, provided the name of the colony to which the emigrant proceeded can be furnished.

Emigrants frequently make remittances of money to their friends at home, or emigrants dying in a colony leave their property to their next-of-kin in India. Again, emigrants returning to India frequently take home their savings in the shape of pay orders on treasuries. Remittances are made in some cases by the Agent or Protector, who sends the money direct to the District Officer for payment to the payee : in others the emigrant forwards to the payee an order for the amount of the remittance payable at a treasury (*vide* Civil Account Code, Volume I, chapter 32, section 8). As it is advisable that these remittances should be encouraged to their fullest extent, District Officers are requested to use their best endeavours to see that payments are made with promptness or with as little inconvenience to the payees as possible.

In order to save the expense of postage to the relations of emigrant coolies, who may wish to write to them, it has been arranged that letters for coolies, forwarded to the care of the Emigration Agent in Calcutta for any of the colonies, with the exception of Natal, will be forwarded by him free of cost to the colony which the Agent represents. District Officers should therefore make it widely known that any person, wishing to write to a friend in the colonies, can have the letter forwarded on bringing it, stamped with a half-anna postage stamp, to the Magistrate of the district.

Grant of return passages to emigrants to Demerara and Trinidad

G.O. $\frac{215/6}{\text{I. 654 A}}$, dated 20th January 1893.

The Government of India have agreed to the adoption in future of the following rules regarding the grant of return passages to emigrants to Demerara (British Guiana) and Trinidad, which have been approved by the Governments of these Colonies, and the conditions endorsed on the form of agreement (Form No. 5, Rule 26, of the Colonial Emigration Rules) given to intending emigrants to these two Colonies should, in future, conform with these rules.

Rules regulating the grant of return passages to emigrants to Demerara (British Guiana) and Trinidad.

I.—Demerara (British Guiana).

1.—The Emigration Agent for this Colony in India may, and subject to the direction of the Governor shall, refuse to engage as immigrants to this Colony persons who have previously proceeded to this Colony as immigrants and have returned to India, except upon the condition that such persons shall have no right to a free return passage.

2.—The said Emigration Agent, in engaging as immigrants to this Colony persons who have not previously proceeded to this

colony as immigrants and returned to India, shall make it a condition of the contract of engagement that such persons, not being destitute or disabled persons, shall, at the termination of 10 years' continuous residence in the colony, provided they have during that time obtained or become entitled to a certificate of exemption from labour, if they desire to return to India, be entitled to a return passage on payment of one-fourth of the passage-money in the case of men and of one-sixth in the case of women.

3.—Persons described in paragraph (2) who, after fulfilling the conditions therein mentioned, are destitute or disabled, shall be entitled to a free return passage.

4.—Persons dependent on persons described in paragraphs (2) and (3) shall be entitled to a free return passage along with the person on whom they are dependent.

II.—TRINIDAD.

1.—The Emigration Agent for this colony in India may, and subject to the direction of the Governor shall, refuse to engage as immigrants to this colony persons who have previously proceeded to this colony as immigrants and have returned to India, except upon the condition that such persons shall have no right to a free return passage.

2.—The said Emigration Agent, in engaging as immigrants to this colony persons who have not previously proceeded to this colony as immigrants and returned to India, shall make it a condition of the contract of engagement that such persons, not being destitute or disabled persons, shall, at the termination of 10 years' continuous residence in the colony, of which five years shall have been passed in industrial service, if they desire to return to India, be entitled to a return passage on payment of one-fourth of the passage-money in the case of men and of one-sixth in the case of women.

3.—Persons described in paragraph (2) who, after fulfilling the conditions therein mentioned, are destitute or disabled, shall be entitled to a free return passage.

4.—Persons dependent on persons described in paragraphs (2) and (3) shall be entitled to a free return passage along with the person on whom they are dependent.

Emigrants to Trinidad. G. O. No. [illegible], dated [illegible] November [illegible].

Magistrates when registering emigrants for Trinidad should specially call their attention to the following extract from an ordinance passed by the Legislative Council of Trinidad for regulating marriages and divorces among Indian immigrants :—

Marriage of Christian immigrants.

5. (1) An immigrant who, at the time of his arrival in this colony, professes Christianity, shall, immediately upon such arrival, and

(2) An immigrant who, at any time after his arrival in this colony, is converted to Christianity, shall, immediately upon such conversion,

as to marriages, capacity or incapacity to contract marriage and the conditions subject to which and the manner in which marriage may be contracted, be subject to the general law of the colony.

Abandonment of Christianity shall not affect the operation of this section.

Marriage according to personal law.

6. A marriage contracted after the commencement of this ordinance between immigrants both of whom at the date of the marriage profess the same religion, not being the Christian religion, and are subject to the same personal law, shall, if contracted according to the religion and personal law of such immigrants and registered according to this ordinance, be deemed to be valid as from the date of marriage specified in the register, or, if no such date is specified, as from the date of registration: provided that both of the following conditions are satisfied (that is to say):—

(1) the man at the date of the marriage must be not under the age of sixteen years; and

(2) the woman at the date of the marriage must be not under the age of thirteen years.

Rates of wages given to emigrants in the Colonies to be exhibited in tahsilis.
Circular No. 58A., dated 26th November 1867 (General).

Magistrates are directed to have lists prepared and hung up in all the tahsilis in their districts, showing the rates of wages given in the various colonies to emigrants from India, in order that intending emigrants may easily be able to check the representations of recruiters.

(For orders as to payments to clerks and others for registration of emigrants see Dept. X of Manual.)

Inland Emigration—i.e., within the limits of British India.
Notification No 1199, dated 11th July 1882.

The orders of the Local Government under the Inland Emigration Act are reproduced in the Volume of "Local Rules and Orders made under enactments applying to the North-Western Provinces and Oudh." Part II p. 150—159.

The following orders have been issued under the Inland Emigration Act I of 1882:—

I.—In addition to the Magistrate of the district, the senior Magistrate with full powers present at the headquarters of each district is appointed to perform the functions of a Magistrate under the Act.

II.—The Magistrate of each district is appointed to be registering officer within the limits of the district of which he is in charge; and the officers in charge of the Kassia and Karwi sub-divisions of the Gorakhpur and Bánda districts are appointed to be registering officers within the limits of their respective sub-divisions.

Every Joint Magistrate, Assistant Magistrate and Deputy Magistrate, exercising the powers of a Magistrate of the 1st class, is appointed to be a registering officer within the limits of the district in which he is employed.

III.—The Superintendent of Emigration is empowered to grant licenses to be contractors, and to grant licenses to be sub-contractors, under the provisions of section 12 of the Act.

IV.—The Superintendent of Emigration is empowered to grant licenses to be recruiters under the provisions of section 23 of the Act.

V.—The Civil Surgeon in medical charge of each district is appointed to be the medical officer for the examination of persons about to be engaged as labourers within the limits of his district.

(The general rules, schedules and forms under the Inland Emigration Law have been published with Notification No. $\frac{1222}{2-126}$, dated 14th July 1885.)

FAMINE AND SCARCITY.

Immigrants on relief works. Treatment of—Government of India Financial Department, No. 703-707-I., dated 26th February 1884.

A... applicants for relief at British works, or at British relief ... reference to their nationality. ... British subjects and immigrants from native territory would not only be easily frustrated, but if it were practicable it would probably lead to the disorganisation of our own system of relief.

Famine Code.

A DETAILED set of instructions as to the measures to be adopted in the event of a scarcity or famine was circulated as a Famine Code with G. O. No. $\frac{3508}{I-8}$, dated 5th March. 1886.

Relief works.

G. O. No. $\frac{558\text{-}5618}{I-8}$, dated 6th May 1887.

The Code divides famine relief works into four classes:—

(1) (*Section 24A*).—Works of a comparatively simple character which the district authority can carry out with his ordinary staff.

(2) (*Section 24B*).—Large works for which professional assistance is required.

(3) (*Section 25*).—Works for the relief of the agricultural population in the neighbourhood of their villages.

(4) Professional agency works (chapter IV).

Lists of relief works in the first two classes should be prepared ... and after having been submitted to the Commis- ... the district offices so as to ... sity. They should usually contain projects of a less important character than those entered in the fourth class, which are intended to provide employment for a period of six months to the maximum number of persons who may need relief, and the works should be selected with the view of giving employment to comparatively small numbers of labourers for limited periods. In many cases, when the famine is not very severe or prolonged, it may be expected that the civil agency works will provide all the relief that is required; and as in any case they are of primary importance in the earlier stages of a famine, it is necessary that the ... ned, and they should ... to meet all the proba

The supplementary lists of works of the third class should be forwarded in original, after having been carefully revised by Commissioners, to the Director of Land Records and Agriculture, who will submit them for the sanction of Government. The character of work to be included in these lists is indicated with sufficient clear-

ness in section 25 of the Code. (See also G. O. No. $\frac{1018S}{1-8}$, dated 6th July 1889). They will ordinarily consist of small agricultural improvements in the immediate neighbourhood of a village, and be such as can be effected by private agency assisted by takávi advances. It does not seem necessary to prescribe any form for general adoption; but the probable expense, and the total number of days' labour which would be provided, should be roughly estimated in the case of each work. No separate divisional list is required; but the lists for all the districts in a Division should be collected and sent to the Director of Land Records and Agriculture under one cover

G O Nos $\frac{1018 \text{ and } 1018S}{I-8}$, dated 6th July 1889.

It seems to the Lieutenant-Governor and Chief Commissioner that the distinction between works under *sections* 24 and 25, respectively, is mainly as between works of a generally useful character and works having for their aim the benefit of a particular village; and that the "test," as to the class under which a work falls, is the *local area benefited*. Thus the test for a work under section 25 is that it should be, ordinarily, for the benefit of a specific village, or a very limited area, not for several, nor for the public generally. *In this view, a project to drain a swamp in villages A and B* would be a "supplementary work;" and still more so if it was intended to benefit either A or B separately But to drain a swamp covering half a pargana would, on the other hand, constitute a project falling under section 24B; while a project to drain a swamp covering part of the area of three or four or more villages would fall under section 24A, or section 24B, according, or not, as it could be done without professional assistance.

Classification of relief works under sections 24 and 25 of the Famine Code—

Resolution No. $\frac{15229}{I-51}$, dated 29th June 1891.

Under the Famine Code, relief works are classed under the four main heads:—

Civil Agency Works—Section 24A, works of a comparatively simple character which the district authority can carry out with the ordinary district staff.

Section 24B, large works for which professional assistance would be required.

Section 25, works specially intended for the relief of the agricultural population in the vicinity of their villages, *e.g.*, the construction of wells, digging and cleaning of village tanks, and construction of village reservoirs, &c., to be carried out as far as possible by private agency assisted by *takávi* advances.

And

Professional Agency Works—

Section 58, works conducted under the direct control of the Public Works Department.

FAMINE AND SCARCITY.

Immigrants on relief works. Treatment of—Government of India Financial Department, No. 705-707-I., dated 20th February 1884.

All applicants for relief at British works, or at British relief houses, should be treated without any reference to their nationality. Any attempt to discriminate between British subjects and immigrants from native territory would not only be easily frustrated, but if it were practicable it would probably lead to the disorganisation of our own system of relief.

Famine Code.

A detailed set of instructions as to the measures to be adopted in the event of a scarcity or famine was circulated as a Famine Code with G. O. No. $\frac{3308}{1-8}$, dated 5th March 1886.

Relief works.
G. O. No. $\frac{358-3813}{1-8}$, dated 6th May 1887.

The Code divides famine relief works into four classes:—

(1) (*Section* 24*A*).—Works of a comparatively simple character which the district authority can carry out with his ordinary staff.

(2) (*Section* 24*B*).—Large works for which professional assistance is required.

(3) (*Section* 25).—Works for the relief of the agricultural population in the neighbourhood of their villages.

(4) Professional agency works (chapter IV).

Lists of relief works in the first two classes should be prepared by District Officers, and after having been submitted to the Commissioner for sanction, will be maintained in the district offices so as to be immediately available in case of necessity. They should usually contain projects of a less important character than those entered in the fourth class, which are intended to provide employment for a period of six months to the maximum number of persons who may need relief, and the works should be selected with the view of giving employment to comparatively small numbers of labourers for limited periods. In many cases, when the famine is not very severe or prolonged, it may be expected that the civil agency works will provide all the relief that is required; and as in any case they are of primary importance in the earlier stages of a famine, it is necessary that the lists should be carefully prepared and maintained, and they should contain a sufficiently large number of projects to meet all the probable requirements of the district.

The supplementary lists of works of the third class should be forwarded in original, after having been carefully revised by Commissioners, to the Director of Land Records and Agriculture, who will submit them for the sanction of Government. The character of work to be included in these lists is indicated with sufficient clear-

ness in section 25 of the Code. (See also G. O. No. $\frac{1018S}{1-8}$, dated 6th July 1889). They will ordinarily consist of small agricultural improvements in the immediate neighbourhood of a village, and be such as can be effected by private agency assisted by takávi advances. It does not seem necessary to prescribe any form for general adoption; but the probable expense, and the total number of days' labour which would be provided, should be roughly estimated in the case of each work. No separate divisional list is required; but the lists for all the districts in a Division should be collected and sent to the Director of Land Records and Agriculture under one cover.

G O Nos. $\frac{1019 \text{ and } 1101S}{1-8}$, dated 6th July 1889.

It seems to the Lieutenant-Governor and Chief Commissioner that the distinction between works under sections 24 and 25, respectively, is mainly as between works of a generally useful character and works having for their aim the benefit of a particular village; and that the "test," as to the class under which a work falls, is the *local area benefited*. Thus the test for a work under section 25 is that it should be, ordinarily, for the benefit of a specific village, or a very limited area, not for several, nor for the public [illegible] villages A and B [illegible] was [illegible] imp [illegible] pro- [illegible] imp [illegible] covering part of the area of three or four [illegible] ould fall under section 24A, or section 24B, according, or not, as it could be done without professional assistance.

Classification of relief works under sections 24 and 25 of the Famine Code—

Resolution No. $\frac{15229}{1-51}$, dated 29th June 1891.

Under the Famine Code, relief works are classed under the four main heads:—

Civil Agency Works—Section 24A, works of a *comparatively* simple character which the district authority can carry out with the ordinary district staff.

Section 24B, large works for which professional assistance would be required.

Section 25, works specially intended for the relief of the agricultural population in the vicinity of their villages, *e.g.*, the construction of wells, digging and clearing of village tanks, and construction of village reservoirs, &c., to be carried out as far as possible by private agency assisted by *takávi* advances.

And

Professional Agency Works—

Section 58, works conducted under the direct control of the Public Works Department.

The distinction between the several classes would appear to be well marked: but a question has arisen as to the works which should be classed under section 25. In the Government order of 6th July 1889,* it was explained that the distinction between works under sections 24 and 25 respectively is, mainly, "as between works of a generally useful character and works having for their aim the benefit of a particular village; and that the 'test' as to the class under which a work falls is the *local area benefited*. Thus the test for a work under section 25 is, that it should be ordinarily for the benefit of a specific village, or a very limited area, not for several villages, nor for the public generally. "In this view" it was said, "a project to drain a swamp in villages A and B would be a 'supplementary work;' and still more so if it was intended to benefit either A or B separately. But to drain a swamp covering half a pargana would, on the other hand, constitute a project falling under section 24B; while a project to drain a swamp covering part of the area of three or four or more villages would fall under section 24A or section 24B, according or not as it could be done without professional assistance."

It has become clear that these explanations have been more or less misunderstood and projects have been sent up from some districts under section 25, which are estimated to cost not less than Rs 80,000 or Rs. 90,000 each. It is necessary, therefore, to repeat that the clasification laid down in the Famine Code was intended to confine works under section 25 to agricultural projects likely to be carried out by zamíndárs and other private persons, assisted, if necessary, by *takávi* advances. It was intended that projects in this category should only be under taken at the public expense and carried out under official management when the advantage to be derived from them would be shared by a considerable number of the community; but for purposes of classification it will be more convenient to place works of the kind which it is proposed to construct at the public expense or which are not likely to be taken up by private enterprise under section 24A or 24B, according to their magnitude. *Commissioners will see that the district lists of works* under section 25 are revised accordingly.

It is at the same time evident that some large works of the kind which have been hitherto classed under section 25 may not only be useful, but absolutely necessary, in time of famine. For famine relief purposes it is necessary to have works in the neighbourhood of the population likely to require assistance, and in some districts it may not be always possible to secure this by means of roads, arterial drainage schemes, or other works of the ordinary type. The works projected for famine relief under section 24 may therefore lie quite outside of the normal field of public works schemes and budgets. But if they are so admitted on the register of civil projects, it is also obviously prudent that proposals of this

* Supra.

nature and size should receive careful examination while there is time for it to ensure that they are not only practicable but useful, and that the estimate of the cost is reasonably approximate. The need of some such criticism is the more apparent from a project for dams, which has been recently before the Lieutenant-Governor, in which the proposals, however beneficial to one village, would have been ruinous to its neighbour.

The Lieutenant-Governor has accordingly decided that schemes prepared by District Officers for execution as works of famine relief under the supervision of the civil agency shall receive, in the circumstances now to be [illegible] the officers of the Public [illegible] admitted on the register of section 24 works.

Works under section 25 will ordinarily have a maximum limit of Rs 5,000. This general rule will not exclude projects of a higher value, when a reasonable anticipation exists that the work will in a famine year be undertaken by private persons either with or without Government advances; and in view of the anticipation that there will be private works, no professional inquiries or sanctions will be required

Works under sections 24A and 24B will ordinarily be placed in the former or the latter lists, according as they fall below or exceed a money limit of Rs. 5,000. Projects estimated to cost more than Rs 5,000 will ordinarily be grouped under section 24B. To this general rule two exceptions will be made. Under section 24A may be provided for each district a lump allotment, without regard to the money limit above fixed, for the construction of *kachcha* wells. Further, Commissioners are authorized to admit into the category any works of a very simple nature, the cost of which is over Rs. 5,000, of the utility of which they are satisfied, and in which from the simplicity of their character professional advice is unnecessary.

Under section 24B should be ordinarily classed all those works to be undertaken by the civil agency at the public expense in case of famine the cost of which is over Rs. 5,000. The projects for these should, as a general rule, be examined in the Public Works Department before the Commissioner admits them on the register. No detailed criticism will be expected, but the Public Works officer should generally satisfy himself and the Commissioner that the project is a practicable one; that it is a useful one and will be in the result not only beneficial in the locality for which it is designed, but productive of no harm to the neighbouring country; and lastly that the estimate of cost is reasonably approximate. In this class may be placed repairs to 2nd and 3rd class roads, an extremely important and useful scheme of relief work. District Officers should, it may be observed, endeavour, as far as possible, to repair and improve existing roads rather than make new ones which the District Boards may find it impossible to maintain efficiently. But

it is most desirable that before they are finally accepted as relief projects they should receive the summary criticism of the professional adviser of the District Officer to ensure that the scheme does not block drainage to the possible injury of the country and danger to existing bridges.

Administrative and final sanction to famine relief works to be carried out by "professional agency," Buildings and Roads Branch, Public Works Department.
Public Works Department Circular No 121 W., dated 7th September 1891.

Rough projects for famine relief works, to be executed by professional agency, will be submitted in the first place to Government in the Public Works Department. The Secretary to Government in the Public Works Department will (after they have been professionally scrutinized) forward them to Government in the Revenue (Scarcity) Department, where they will, if approved, be administratively sanctioned, after reference (if necessary) to the local civil authorities.

When the project has been administratively sanctioned, the fair project will be disposed of and sanctioned in the Public Works Department.

No project administratively sanctioned as a famine relief work can be removed from the list of famine works without the consent of Government in the Revenue (Scarcity) Department; nor can it be brought on to the list of ordinary district works until fresh administrative sanction has been given by Government in the Public Works Department.

Administrative and final sanction to relief works to be carried out by "professional agency." Irrigation Branch, Public Works Department.
Public Works Department, Irrigation Branch, No. 2102I, dated 10th September 1891.

I.—The works will be divided into two classes, *viz.*—

(i) Ordinary works, which will be carried out in the ordinary course.

(ii) Special works for famine relief.

Works in class (i) will be liable to change, old ones being struck out when executed and new ones added; but those in class (ii) will be brought forward year after year until they are completed or are transferred to class (i).

II.—Separate lists, prepared in the form at present in use will be submitted for each class, and estimates will be got out for *all* the works entered in the lists. The estimates for works under class (i) will be dealt within the Chief Engineer's office in the ordinary course. Those for works under class (ii), before submission to Government, will be forwarded by the Executive Engineer to the Collector of the district and by Superintending Engineer to the Commissioner, for their opinion on the suitability of the work for famine relief and the incidence of cost. After scrutiny by Chief Engineer and approval of incidence of cost by the Financial Department, the estimate will be forwarded to the Revenue Department for approval, and on its return will be sanctioned in Irrigation Department and sent back to Superintending Engineer to be held in abeyance till such time as it is found necessary to carry out the work.

III.—No work will be removed from class (ii) without the consent of the Revenue Department.

Beginning with the year 1893, the annual statement showing the number of persons for whom employment could be found on relief works in case of famine should be submitted in the form given below.

The return should be timed to reach this office not later than the 1st May in each year.

Statement of persons for whom employment could be found on relief works. G. O No $\frac{1508S.}{I-8}$, dated 21st June 1892 and No $\frac{3148}{I-47}$, dated 2nd February 1895.

Annual statement of persons for whom employment can be found on relief Works in the ____________ Division.

District.	Population	Maximum number of persons for whom relief may be required daily in the event of serious famine.	Number of persons provided for by relief works daily for three months on—			A brief description, without details, of [illegible] of their completion, either within or soon after the period of scarcity.
			Works falling under section 24a (simple works which District Officers can carry out with their ordinary staff).	[illegible] works for which professional assistance is required)	[illegible] of the agricultural population in the neighbourhood of their villages)	
1	2	3	4	5	6	

These returns are prepared by District Officers fortnightly, *i.e.*, for the first and second fortnight of each month, in the form appended. Care should be taken that these returns are posted to the Superintendent, Government Press, Allahabad, on the last day of the period to which they relate; that is to say, on the 15th and on the last day of every month, in order that they may appear punctually in the *Gazette*. If from any cause the district returns are omitted from th[illegible] without delay, to the office of [illegible] for transmission to [illegible] of Finance and Commerce.

Fortnightly return of prices current of food grains, firewood and salt—

(Govt. of India, Dept. of Agri., Rev. and Commerce, No $\frac{1}{17}$, dated 15th January 1872, as amended by Govt. of India, Dept. of Finance and Commerce, No. 3298, dated 21st December 1885. Director of Land Records and Agriculture's Circular letter to District Officers, No. 28, dated 11th June [illegible]

Director of Land Records and Agriculture's Circular letter to District Officers, No. 1512, dated 4th September [illegible].

Prices Current (retail) of food-grains, firewood and salt in the district of during the fortnight ending the 18 .

Quantities per rupee in seers of 80 tolas.

District.	Wheat.	Barley.	Rice, best sort.	Rice, common.	Juár or cholum (*Sorghum vulgare*).	Bájra or cumbu (*Pennisetum typhoideum*).	Marua or ragi (*Eleusine coracana*).	Kangni or kakun, Italian millet (*Setaria italica*).	Gram, channa, chola, kudalay or sunnga (*Cicer arietinum*).	Maize (*Zea Mays*).	Arhar or thúr, cadjan pea (*Cajanus indicus*).	Firewood.	Salt.	Remarks.

GLANDERS AND FARCY.

Extension of Act—Inspectors.

The Glanders and Farcy Act (XX of 1879) has been extended under section 3, of the Act, to the following areas, and the persons shown in column 3 of the subjoined statement have been appointed Inspectors of those areas under section 4 of the Act:—

Area to which extended	Number and date of Notification.	Persons appointed Inspectors.	Number and date of Notification.
1. Road between Bareilly and Ranibagh and one mile on either side.	No 1414, dated 25th [illegible] 1881.	The Magistrate, District [illegible] Police [illegible] missioners, Naini Tal.	No. 1418, dated 25th November 1881.
2. Cantonments of Meerut, Muttra, Bareilly, Sháhjahánpur, Lucknow, Cawnpore and Allahabad.	No 1490, dated 13th December 1881.	All Police Officers above or of the rank of Sub-Inspector employed in the Cantonment concerned, and the *Bazar or Conservancy Sergeant of the Cantonment*.	No. 1492, dated 13th December 1881.
3. Road between Sahárunpur and Rajpur and one mile on either side.	No 1560, dated 3rd September 1883.	Magistrate and District Superintendent of Police and all Inspectors of Police in the Saharanpur district, and the *Superintendent and District Superintendent* of Police and Inspectors of Police, Debra Dún.	No. 1561, dated 3rd September 1883 and No. 1927, dated 14th November 1883.
4. Allahabad Municipality	No. $\frac{613}{VI-133B}$, dated 3rd April 1888	All Police Officers above or of the rank of Sub *Inspector employed* in the Allahabad district, and all Municipal Conservancy Inspectors.	No. $\frac{614}{VI-133B}$, dated 3rd April 1888.
5. Cawnpore Municipality.	No $\frac{2522}{VI-88C}$, dated 6th October 1892.	All Police Officers above or of the rank of Sub-*Inspector employed* in the Cawnpore district and all Municipal Conservancy Inspectors	No. $\frac{2523}{VI-88C}$, dated 6th October 1892.
6 Tonga line from Kathgodam to Naini Tal and one *mile on either* side.	No $\frac{3801}{VI-762B}$, dated 22nd October 1894.	The Deputy Commissioner, Sub Divisional *Magistrates, District Superintendent* of Police and all Inspectors of Police in the Naini Tal district.	No. $\frac{3801\frac{1}{2}}{VI-762B}$, dated 22nd October 1894.
7. Lucknow Municipality.	No $\frac{3134}{I-218B-1}$, dated 30th November 1894.	All police officers above or of the rank of Sub-*Inspector* employed in the Lucknow district and all Municipal Conservancy Inspectors.	No $\frac{3135}{I-218B-1}$, dated 30th November 1894

Veterinary Surgeons.
Notifications No. $\frac{3143}{VI-702B}$, dated 21st November 1893.

Under section 7, Act XX of 1879 (the Glanders and Farcy Act) the Superintendent, Civil Veterinary Department, North-Western Provinces and Oudh, has been appointed to be a Veterinary Surgeon for the purpose of conducting the examination and granting the certificate mentioned in sections 7 and 8 of the Act, in any part of the North-Western Provinces and Oudh to which the Act has been extended.

Notifications No. $\frac{3138-7}{I-488-1}$, dated 30th November 1894.

For Lucknow Municipality and Cantonments all Veterinary Surgeons belonging to the Army Veterinary Department and serving in the Lucknow district have been appointed Veterinary Surgeons for the purposes of the Act. For the Lucknow Municipality only other Veterinary Surgeons may be nominated in this behalf by the Municipal Board.

The following rules have been made under section 14 of Act XX of 1879 (the Glanders and Farcy Act) :—

Rules under the Act— Notification No. 1491, dated the 13th December 1881.

RULE 1.—Every Inspector who receives information of the supposed existence, or who has reasonable grounds to suspect the existence of glanders or farcy in any place within the local areas to which this Act has been extended, shall proceed immediately to such place and there execute and discharge the powers and duties conferred upon him under this Act.

RULE 2.—An Inspector may for the purpose of seizing any such horse, enter and search any field, enclosure, building or other place where he has reason to believe that any diseased horse is to be found; but, as far as practicable, he shall conduct his search in the presence of the owner, or of the person in charge of the suspected horse, field, enclosure or building, to whom notice shall be given previous to the search.

RULE 3.—Every person having in his possession or under his charge any diseased horse shall observe the following rule:—

1st—He shall, as far as possible, keep the diseased horse separate from other horses not diseased;

2nd—He shall give information of the fact of the disease, as soon as possible, to the nearest police station; and the officer in charge of the station, if not an Inspector under *the Act, shall forthwith report the same to an Inspector* and to the District Superintendent of Police.

RULE 4.—When a diseased horse is destroyed under section 8 of the Act, the owner or the person in charge shall, without delay, cause the carcass to be buried in such place as the Veterinary Surgeon may approve, 6 feet below the surface of the ground, and the skin to be slashed so as to prevent its being used. No person shall dig up, or cause to be dug up, the carcass of any horse so buried, or any part of it.

RULE 5.—When a diseased horse has been destroyed or has died of the disease, the Inspector shall (if so vouched by the Veterinary Surgeon) order that its dung and any hay, straw, litter or other things used for food or bedding of the diseased horse, and the clothing and other gear which has been used by, or been in contact with the diseased horse, shall be destroyed by burying or burning, or in some other way as he may direct, and the owner or the person in charge of the building, shed, place or lines in which such diseased horse has been located, shall be bound to execute such orders without delay.

RULE 6.—The stable or building in which a diseased horse has been shall be cleansed and disinfected in the following manner :—

1st—*By sweeping out and removing all dung, litter and other* matter.

2nd—By thoroughly washing all woodwork with boiling water.

3rd—Walls of straw, grass or similar combustible material shall be burned down *in situ*, mud walls shall be carefully scraped and replastered and a coating of lime wash (made by mixing immediately before use good freshly burned lime with water) shall be applied. Brick walls shall receive two coatings of the lime wash.

(NOTE —Where fresh lime is not obtainable, chloride of lime or sulphate of iron may be substituted.)

4th—By removal, if practicable, of two feet of earth from the floor or standings, which shall not be renewed for at least two weeks.

5th—The thatch of the building or stable shall also, if the Veterinary Surgeon thinks it necessary, be destroyed by fire.

The owner or a person in charge of the stable or building shall be responsible for carrying out the measures indicated.

RULE 7.—No Inspe [illegible] ll of the Act for removal [illegible] vith a diseased horse, except [illegible] nger of the first horse becoming diseased.

GRANTS OF LAND TO NATIVE OFFICERS.

Grant of land to Native Officers for distinguished military service. Government of India, Military Department, No 867B dated 27th February 1893 and No 3293B, dated 24th October 1893.

THE Government of India have laid down the following instructions for dealing with applications for the grant of land and other rewards to Native Officers for distinguished military service.

The principle of awarding grants of land to Native Officers has been advocated on the ground that it gives them a status in the ... en by ... years, ... n the ... value ... ques- ... posed the substitution of swords of honor, *khillats*, and special pensions, for grants of land as rewards to deserving Native Officers.

After a careful consideration of the subject in all its bearings, the Government of India have decided that it would not be advis- ... present system of giving grants ... but are of opinion that assign- ... ibstituted with advantage for

It has been observed that the average income of the jágírs granted between 1869 and 1887 was about Rs. 1,000 in each case. The grants in these cases, however, consisted of waste lands, upon which after a short period the full land revenue was to be taken. It is not easy therefore to estimate their value as compared with that of grants under the orders of 1888 and 1889, which, though placed at only Rs. 300 per annum, were to yield a permanent income of that amount "clear of all charges and deductions." Taking, however, all the circumstances into consideration, the Governor-General in Council thinks that reasonable requirements will be met by deciding that the maximum amount of the reward shall be fixed in future at the equivalent of Rs. 400 per annum, clear.

Applications for such grants on behalf of Native Officers of the Bengal Army should be submitted by the Commander-in-Chief in India, the annual value of the reward being specified in each case. When the Local Government is prepared to provide a grant of land and the grantee accepts this form of reward, it will be open to the Local Government to arrange for the bestowal of the privileges connected with the grant in such a way that the difference between the value of the grant on the terms given and the market value may amount ... [illegible]

above. Should the Local Government not be prepared to give land, or the grantee be unwilling to accept his reward in this form, the grantee will be given an assignment of revenue from any village or estate that may be selected. If an assignment of revenue be given such assignment will be for three lives only, the maximum amount of revenue assigned to the original grantee being Rs. 600, to the first heir Rs 300, and to the next heir in succession Rs. 150. The method in which the assigned revenues are to be paid, *i.e.*, whether from the State treasury or by the landowners direct, will be left to Local Governments to decide, but the amount should be fixed in cash and not in terms of the land revenue. When the grantee is a landholder, the assignment may take the form of a remission of a specified amount of the revenue due from himself.

On the death of the original holder, one-half of the grant, whether it consists in an assignment or remission of revenue, should descend integrally to a single heir; the heir will be selected by the District Officer, but will ordinarily be the eldest male heir in the eldest branch of the deceased's descendants. On the death of the selected heir one-quarter of the original grant will descend integrally to one of his heirs similarly chosen by the District Officer. The selection made by the District Officer will, in all cases, be subject to confirmation by the Commissioner of the Division, or in Madras by the Board of Revenue.

In addition to the grant of land, or assignment of land revenue, the title of "Bahádur" will be conferred on all grantees who are not already in possession of it as members of the Order of British India. A *khillat* and a sword of honor, not exceeding Rs. 300 in total value, may also be given in very special cases, if recommended by the Commander-in-Chief in India.

The maximum number of such grants of land or assignments of land revenue to be given annually shall be limited to nine for all India, to be distributed as under:—

Bengal 5

* * * * * *

The arrangements made by the Local Government will be reported for the information of the Government of India in the Finance, Revenue and Agricultural, and Military Departments.

Government of India, Military Department, No 2522B, dated 1st December 1888.

HORSES AND HORSE SHOWS.

Brood Mares. Purchase of—by officers in Government employ.
No. 1707, dated 4th August 1879

THE purchase of all mares or fillies branded with the letters V.R., V.I., or B.M., by Government officers is *strictly* prohibited.

This restriction not only applies to the native cavalry and police, but to *all* officers in Government employ, whether in the military, civil, or other branches of the service.

Branded Mares. Purchase of—allowed in certain cases
No. 2597, dated 19th December 1879.

Such branded mares as are certified in writing by the Inspector-General or Superintendent, Civil Veterinary Department, to have proved barren may be purchased; every care being taken by the purchaser to minutely compare the description given in the certificates as to the colour, age, height and marks of the mares offered for sale.

Branded Mares Inspection of—
India's No. 1127, dated 3rd November 1879

District Officers are requested to give effect to such instructions as may be issued by the Inspector-General, Civil Veterinary Department, for the annual inspection of branded mares and their produce.

These mares and their stock by Government stallions not so inspected and certificated will be debarred from competing for any of the Government prizes awarded at the several metropolitan horse fairs and district horse shows.

Fixing of dates of horse shows and fairs.
G. O. $\frac{1515}{1-[illegible]}$, dated 12th November 1885.

In future, the dates of horse fairs and shows in these provinces will be arranged by the Inspector-General, Civil Veterinary-Department, through Commissioners, and in urgent cases where District Officers are consulted direct, copies of such correspondence will be sent to the Commissioner concerned for his information.

Report of outbreak of disease among horses—
No $\frac{216}{1-334}$, dated 15th February 1888.

In accordance with the order of the Government of India, District Officers are required to report without delay the outbreak of any serious horse-disease in their districts to the inspecting Veterinary Surgeon, Meerut, with a view to the adoption of preventive measures. The desired report should be in all cases promptly furnished.

Government of India Revenue and Agriculture Department.

Circular No. $\frac{4}{21}$, dated 6th February 1895, circulated to Commissioners and District Officers with G. O. No. $\frac{478}{\frac{1-2800}{2}}$, dated 21st February 1895.

Cases have recently come under the notice of the Government of India in which, owing to the division of authority between civil and military officers, the measures that have been taken upon the occurrence of an outbreak of contagious disease among animals, have not been as prompt and effective as they might and should have been. In outbreaks of disease it is especially important that all concerned should co-operate in the fullest manner, as the powers of the

executive in the matter are at the best extremely limited, while the evil spreads so rapidly that whatever can be done to check it should be done at once.

The following procedure should in future be observed whenever contagious disease makes its appearance among animals :—

(1) When any contagious or infectious disease [illegible]
animals at a horse or [illegible]
of a cantonment, or [illegible]
the district or sub-divisional officer shall immediately report the fact and the nature of the disease to the nearest military authority, who will be responsible for communicating the information to any other military authorities whom it may concern.

(2) When such disease appears in a camp or cantonment, or among animals under military authority on a line of communication, the facts shall be immediately reported by the military authorities to the district or sub-divisional officer within whose charge the disease has appeared.

(3) The principal local authority, whether civil or military, within whose jurisdiction the disease has appeared should keep the local military or civil authority (as the case may be) informed of the preventive or repressive measures that he has adopted, so that the action taken by the one may be, as far as possible, continued by the other. Any suggestions that either authority may have to make for action on the part of the other, with a view [illegible]

and act upon them.

(4) The direct communication between the local authorities enjoined in the above rules in no way supersedes the necessity of reporting the fact of an outbreak for the information and orders of superior authority, under any rules or practice that may be from time to time in force.

Reporting the illness or death of Government horse or donkey stallions.

G O No. 1225 / 1-[illegible] dated 4th September 18[illegible].

The following rules have been laid down by the Inspector-General, Civil Veterinary Department, for reporting the illness or death of Government horse and donkey stallions.

I. Reports intimating the death of Government stallions, to be invariably accompanied with documents furnishing, in detail, full particulars concerning the disease and cause of death, duration of the disease, steps taken to obtain veterinary advice and treatment, and the *post mortem* examination of the Veterinary Surgeon or Assistant, or Salutri attending.

2. Such reports to be submitted to the officers concerned within twenty-four hours of the death of the animal.

3. In verification of the reported death, the branded portion of the skin, and the tail of the deceased animal, should be forwarded, packed up with ashes in a cloth and securely fastened up, to the officer of the Civil Veterinary Department.

4. In the event of a Government stallion dying from anthrax or any other kind of contagious disease, the following precautions are to be observed in the presence of a responsible officer :—

(*a*) The carcase to be slashed with a knife.

(*b*) The carcase should not be buried underground but cremated (reduced to ashes by burning) by the most inexpensive and effective means. All gear and clothing belonging to the horse should likewise be completely destroyed by fire.

(*c*) The stall occupied by the horse to be thoroughly disinfected; the flooring to be dug to a depth of 18 inches; all the walls thoroughly scraped and thickly whitewashed with lime, and the stall should have its doors and windows closed and be fumigated with sulphur. No animal should be allowed to occupy the building until the lapse of two months from date of disinfection.

(*d*) The branded portions of the skin and tails of horses that die from contagious diseases should, after being carefully inspected and compared with the register by the officer of the Civil Veterinary Department, be invaribly burnt to ashes.

Stallion-keepers, ziladárs, and Salutris of the Civil Veterinary Department have been directed to send in their reports regarding the sickness or death of Government stallions, through the tahsíldárs, to the Magistrate of the district, who will forward them, with any remarks he may have to make, to the Superintendent, Civil Veterinary Department.

LEGAL PRACTITIONERS ACT.

Legal Practitioners Act. Rule under— No. 628, dated 8th April 1880 (N.-W. P.).

UNDER the proviso to section 20, Act XVIII of 1879, all Collectors of districts in the North-Western Provinces are empowered to grant sanction to any person duly authorised in this behalf to transact all or any business in which his principal may be concerned in any revenue office.

No. $\frac{2135}{404\ 3}$, dated 1st September 1884 (Oudh).

Under the proviso to section 20 of the Legal Practitioners' Act (XVIII of 1879), all Deputy Commissioners of districts in Oudh are empowered to grant sanction to any person duly authorized in this behalf to transact all or any business in which his principal may be concerned in any revenue office.

METEOROLOGY.

Rain-gauges. (Symon's pattern.) Supply of— G. O. No $\frac{250-2}{1-775}$, dated 20th February 1886.

Rain-gauges of Symon's pattern should in future be substituted for the float-gauges (Fleming's) in use in these provinces, as the latter wear out and become unserviceable. It must be clearly understood that the object of this instruction is not to condemn the float-gauges at present in use and at once introduce Symon's gauges, or even to accelerate the process of substitution, but merely to secure that the present gauges as they from time to time become unfit for use shall be replaced by gauges of the Symon's pattern. The Meteorological Reporter will submit the district indents for rain-gauges to the Meteorological Reporter to the Government of India for compliance.

Record of Meteorological Observations by Hospital Assistants and other Medical Subordinates Government of India, Revenue and Agricultural Department, Circular No. dated 25th January 1892. and G. O. No. $\frac{779}{1-910A}$, dated 11th April, 1892, to Inspector General, Civil Hospitals, North-Western Provinces and Oudh.

No observatory shall be opened at any civil hospital or dispensary until the Meteorological Department has first obtained the sanction or permission of the Local Government.

When an observatory has been opened at any civil hospital or dispensary, the Meteorological Department shall correspond with the medical subordinate acting as observer through the Civil Surgeon or other officer appointed to act as Superintendent of the observatory, or with the observer directly if there be no Superintendent, about all matters respecting the work of observation.

When sanction is given to the establishment of an observatory at any civil hospital or dispensary, and the employment of a medical subordinate as observer, it includes sanction to the employment of the successors to that subordinate until the permission of the Local Government is withdrawn. In other words, the permission to utilize the service of a subordinate holding a certain office is not personal, but applies to all individuals appointed from time to time to the office.

At all observatories established at hospitals or dispensaries in accordance with these rules, the meteorological work will form a part of the recognised duties of the subordinate medical officer. When it has been found practicable to establish such an observatory, the subordinate medical officer employed will not be allowed to object to the arrangement, except by referring the matter to the Local Government or Administration. The Local Government or Administration will either disallow the objection or refer it for the opinion of the Meteorological Reporter to the Government of India; and in the latter case it will not decide, until it has considered the Reporter's opinion, whether it is desirable or necessary to withdraw the permission to have the observatory at the civil hospital or dispensary. Whenever such permission is determined to be withdrawn, sufficient time must be allowed for the Meteorological Reporter to make other arrangements.

The Local Administrative Medical Officer will, when making any change in the Subordinate Officers employed as observers, endeavour, so far as he can consistently with departmental requirements, to provide men at such offices who can do the meteorological work properly. The Local Government or Administration will request Civil Surgeons to see as far as possible that when a change is made the new observer is instructed in his meteorological work by the outgoing observer, and that the latter does not hand over charge until the new observer can do the work of observation correctly and satisfactorily.

MINES.

Rules for the grant of licenses to explore and prospect for minerals and of mining leases—
Government of India, Revenue and Agriculture Department, Resolution No. $\frac{15}{27}$, dated 12th December 1894.

The following rules regulating the grant by Local Governments of licenses to explore and prospect for minerals and the grant of leases of mines and minerals have been made by the Governor-General in Council, and sanctioned by the Secretary of State for India in Council.

No such license or lease can be granted by any Local Government otherwise than in accordance with these rules, except with the previous sanction of the Secretary of State for India in Council, or with that of the Governor-General in Council under any general or special authority which he may have received in this behalf from the said Secretary of State in Council.

In these rules—

Collector means the Revenue Officer in charge of district; and

Local Government includes a Chief Commissioner.

Exploring Licenses.

1. A license to explore land for minerals or mineral oil, called hereinafter an exploring license, will authorise the licensee to search the surface of the land specified in the license for minerals of every description and for mineral oil, and, subject to such restrictions as the Local Government may from time to time impose, to remove any specimens or samples found by the licensee in or upon such land.*

2. Such license shall only be granted with respect to land in which the mines, minerals, or mineral oils are the property of the Government, and (subject to the provisions of any law or rule having the force of law, for the time being in force with reference to such land) shall not authorize the licensee to enter upon any land in the occupation of any person without the consent of the occupier.

3. Such license shall not authorise the licensee to mine or quarry but he may be permitted to turn up to a depth not exceeding two feet the surface of unoccupied lands, or, with the consent of the occupier, that of land which the Government has granted for agricultural purposes, reserving only the right to minerals.

4. Such license may be granted by such person and under such rules as the Local Government may prescribe.

5. Every such license shall run for one year, and there shall be paid for each license such fee, not exceeding Rs. 10, as the Local Government may prescribe.

* *Note.*—The surface of unoccupied and unreserved land which is the property of Government may be freely searched without a license, but the Government does not object to granting a license to explore when one is applied for.

6. A royalty shall be payable to Government on the value of all precious stones found and removed by an explorer, whether he has taken out a license or not. In the case of licenses such royalty shall be at such rate, not exceeding 30 per cent, as shall be fixed by the license, and in the case of an unlicensed explorer shall be 30 per cent. on the value of the stones removed. Neglect to report the discovery of any such stone within a reasonable time shall involve the forfeiture of the license and of all claim to have an application for a mining or prospecting lease favourably considered

7. Such license shall give no exclusive or preferential rights, but in considering rival claims for a prospecting license or mining lease, due regard will be had to operations conducted under cover of an exploring license.

Prospecting Licenses.

8. (1) A license to prospect for minerals or mineral oil, called hereinafter a prospecting license, shall confer on the licensee the sole right, subject to the conditions contained in the license, to mine, quarry, bore, dig and search for, win, work, and carry away any mineral or mineral oil specified in the license, and lying or being within, under, or throughout the land specified in the license

(2) A prospecting license shall only be granted with respect to land in which the mines, minerals or mineral oils are the property of the Government, and which is comprised in a compact block, the area of which does not exceed the area specified in Schedule A, and the length of which does not exceed four times its breadth.

9. When any area has been explored, and its value as a field for mining sufficiently ascertained, the Local Government may refuse to grant prospecting licenses and may order such area to be demarcated into blocks, and may, subject to such rules as the Governor-General in Council may from time to time prescribe, sell by public auction or private contract the right to win and carry away minerals in and from all or any of such block for such term or terms not exceeding 30 years, and subject to such conditions as it may think fit, or may grant mining leases thereof as provided in rules 18 and 19, as it may think fit:

Provided that no such sale as aforesaid shall be made without the previous sanction of the Secretary of State for India in Council if the estimated value thereof exceeds 12 lakhs of rupees.

10. (1) No prospecting license shall be granted except to a person approved by the Local Government, and such person shall, before the license is granted, deposit as security in respect of each license such sum, not being less than Rs. 500, as the Collector may determine, or give security to the like amount to the satisfaction of the Collector. Subject to such deduction on account of compensa-

tion for surface damage or otherwise as the Collector may order, the amount of any deposit made under this rule, should the depositor afterwards become the lessee of any mining lease, will be carried to his credit as part of the rents and royalties payable under his lease, and should he decline or fail to obtain any such lease as aforesaid, will be returned to him.

(2) No prospecting license shall be granted to any Company or to any Syndicate on behalf of a proposed Company without the previous sanction of the Governor-General in Council.

11. (1) Every application for a prospecting license shall, unless the Local Government shall in any case otherwise direct, be made to the Collector of the district in which the land or some part of the land with respect to which the license is required is situate.

(2) Every such application shall contain the following particulars, namely :—

(*a*) the name, residence, and profession of the applicant;

(*b*) a description, as accurate as possible, and illustrated by a rough sketch, of the situation, boundaries, and area of the land with respect to which the license is required; and

(*c*) a specification of the mineral or minerals for which the applicant desires to prospect.

(3) Every application shall be accompanied by a certificate of approval signed by a Secretary to the Local Government.

12. On receipt of any such application the Collector shall, as soon as practicable, enquire whether the grant of the license applied for is inexpedient either on the ground that the land described in the application is required for a public purpose, or otherwise.

13. (1) Should the Collector be of opinion that it is not expedient to grant the license, or should he find that the licensee has not been approved by the Local Government, he shall refuse to grant the license, and shall forthwith report the matter through the proper channel to the Local Government, which may pass such orders as it may think fit.

(2) Subject to the control of the Local Government, the Collector, if he finds that there is no objection to the grant of the license applied for, and if the applicant has been approved by the Local Government, may grant to the applicant a license in such form as may be prescribed, and shall report the matter to the Local Government or such other authority as the Local Government may direct.

14. No licensee shall, while his license is in force, be granted a prospecting license with respect to any other land which lies within

such distance, of the land covered by his license as is specified in Schedule A :

Provided that the Local Government may, for special reasons, dispense with or modify this condition.

15. A register of applications for prospecting licenses shall be kept in English in the Collector's office, specifying—

1. Number of application.
2. Date.
3. Name and residence of applicant.
4. Situation of the land.
5. Boundaries.
6. Estimated area.
7. Date of sanction by the Local Government.
8. Date of license.
9. Rent and royalty payable.
10. Period for which granted.

16. Every prospecting license shall contain such conditions as may in any particular case seem necessary, and shall in all cases contain the following conditions :—

(i) The term for which the license shall be granted shall be one year or such shorter term as the applicant may desire The license may be renewed by the Collector for a further term not exceeding one year, whenever he is satisfied that the licensee has been prevented from completing his search of the land by any cause other than his own default.

(ii) A moderate rent not exceeding one rupee per acre shall be paid for the land covered by the license.

(iii) The licensee shall pay a royalty at a rate not exceeding 20 per cent of the value on all precious stones won and carried away, and a royalty at the rates specified in Schedule C on all other minerals won and carried away over and above such quantity as the Local Government may allow to be taken free for purposes of experiment.

(iv) No land in the occupation of any person shall be entered upon without the consent of the occupier, and no trees, standing crops, or other private property

shall be cut or in any way injured without the consent of the owner thereof.

(v) The licensee shall make and pay reasonable satisfaction and compensation for all injury which may be done by him in exercise of the powers granted by the license, and shall indemnify the Government against all claims which may be made by third parties in respect of any such damage or injury.

(vi) The licensee shall not cut or injure any tree on unoccupied and unreserved land without the permission of the Collector in writing.

(vii) Neither the licensee nor any one claiming through or under him shall grant or assign any interest under the license to any person without the previous consent in writing of the Local Government, or to any Company without the previous sanction of the Governor-General in Council.

(viii) In case of any breach on the part of the licensee of any of the five last preceding clauses, the Collector may summarily revoke the license, and thereupon all rights conferred thereby or enjoyed thereunder shall cease.

(ix) The licensee shall, within six months next after the determination of the license, or the date of the abandonment of the undertaking, whichever shall first occur, securely plug any bores and fill up or fence any holes or excavations that he may have made in the land to such extent as the Collector may require, and shall to the like extent restore the surface of the land and all buildings thereon which he may have damaged in the course of prospecting: Provided that this clause shall not apply to any land held under a mining lease.

(x) Should any question or dispute arise regarding the license, or any matter or thing connected therewith, or the powers of the licensee thereunder, or the amount or payment of the rent or royalty made payable thereby, the matter in difference shall be decided by the Local Government, whose decision shall be final.

17. On or before the [illegible] of his license, the licensee [illegible] hereinafter contained, and [illegible] satisfied that the prospect-

(a) in the case of mineral oil or minerals other than precious stones, to a mining lease in accordance with the terms contained in the rules for mining leases;

(b) in the case of precious stones, to the first offer of such mining lease (if any) as the Governor-General in Council may think fit to grant.

Such lease may include so much land, whether comprising the whole or a part only of the area for which the prospecting license was granted, as shall not exceed the area specified with respect to mining leases in Schedule A annexed to these rules.

Mining Leases.

18. (1) Every application for the grant of a mining lease, not being a lease of a mine of precious stones, shall be presented to the Collector in whose district the land or some part of the land with respect to which the lease is applied for is situate. The Collector shall forward the application through the proper channel to the Local Government

(2) No mining lease shall be granted otherwise than with respect to land in which the mines, minerals, or mineral oils are the property of Government, and no lease of a mine of precious stones shall be granted except by the Governor-General in Council

(3) No mining lease shall be granted to any Company or to any Syndicate on behalf of a proposed Company without the previous sanction of the Governor-General in Council

19. Every application for a mining lease shall contain—

(a) the name, residence, and profession of the applicant;

(b) the name of the mineral for which the applicant intends to mine;

(c) a map of the area over which the proposed lease is to extend.

20. On receipt of any such application the Local Government may, if it considers that the applicant should be granted a mining lease, grant the same in accordance with these rules over such one or more blocks, each not exceeding in extent the area specified in Schedule A annexed to these rules, as the Local Government may think fit.

No such lease shall be executed until it has been approved by the Advocate-General or other legal adviser, if any, appointed for the Province.

21. Without the previous sanction of the Governor-General in Council, the length of a block shall not be allowed to exceed

four times its breadth, nor shall the same lessee be granted either in the same lease or in separate leases more than one block unless the distance between each two of such blocks is not less than that mentioned in the last column of the said Schedule A.

22. The term for which a mining lease may be granted shall not exceed thirty years, and no covenant for renewal may be inserted in the lease without the sanction of the Governor-General in Council.

23. Every such lease shall contain such conditions and stipulations as the Local Government may in each case consider necessary but shall in every case contain the following conditions, namely:—

(i) the lessee shall pay a royalty at the rate specified in the lease, which rate shall be that fixed for the particular mineral in Schedule C; and if any other mineral shall be discovered, then royalty shall be paid therefor at such rate, not being less than 20 per cent. of the value thereof, as the Local Government may determine, until a mining lease has been obtained in respect of such mineral: but the lessee shall be entitled to require and obtain such lease for the term then unexpired of his original lease upon the terms hereinbefore mentioned in rule 17;

(ii) the lessee shall also pay for every year after the first year a fixed yearly dead rent at a rate not less than that laid down in Schedule B: provided that no lessee shall pay both royalty and dead rent in respect of the same lease, but only such one of them as may be the greater in amount;

(iii) the lessee shall also pay for all land which he may take up, use, or occupy for the purpose of the mine a surface rent at the rate specified in Schedule B;

(iv) the lessee shall at his own expense erect, and at all times maintain and keep in repair, boundary marks and pillars according to the demarcation to be shown in a plan annexed to his lease;

(v) the lessee shall make and pay reasonable satisfaction and compensation for all injury which may be done by him in exercise of the powers granted by the lease, and shall indemnify the Government against all claims which may be made by third parties in respect of any such injury;

(vi) the lessee shall not cut or injure any tree reserved in the lease;

(vii) neither the lessee nor any person claiming through or under him shall assign the lease, or underlet the whole or any portion of the premises comprised in such lease, without the previous consent in writing of the Local Government; and no such assignment or under-lease shall be made to a Company without the previous sanction of the Governor-General in Council;

(viii) the lessee shall commence operations within two years from the date of the execution of the lease, and shall thereafter carry them on effectually in a proper, skilful, and mining-like manner, unless prevented by unavoidable cause,

(ix) the lessee shall keep correct accounts showing the quantity and particulars of all minerals obtained from the mine and the number of persons employed therein, and also complete plans of the mine, and shall allow any officer authorised by the Local Government in that behalf at any time to examine such accounts and plans, and shall furnish the Local Government with such information and returns in respect of the aforesaid matters as it may prescribe ;*

(x) the lessee shall allow any officer authorised by the Local Government in that behalf to enter upon the premises comprised in the lease for the purpose of inspecting the same;

(xi) the lessee shall without delay send to the Collector a report of any accident which may occur at or in the said premises, and also the finding therein of any mineral not specified in the lease,

(xii) should the royalty or rent reserved or made payable by the lease be not paid within twenty-eight days next after the date fixed in the lease for the payment of the same, the Local Government may enter upon the said premises and seize and sell any minerals or movable property therein, and, if the royalty or rent cannot be so recovered, may determine the lease and take possession of the premises comprised therein;

(xiii) in case of any breach on the part of the lessee of any covenant contained in the lease, the Local Government may determine the lease and take possession of the said premises;

* *Note.*—All information and returns obtained or furnished under this clause shall be treated as strictly confidential.

(xiv) at the end or sooner determination of the lease, the lessee shall deliver up the said premises and all mines (if any) dug therein in a proper state for working ;

(xv) should any question or dispute arise regarding the lease or any matter or thing connected with the mines and minerals leased or the working or non-working thereof, or the amount or payment of the royalty or rent reserved or made payable by the lease, the matter in difference shall be decided by the Local Government, whose decision thereon shall be final.

General Provisions as to Licenses and Leases.

24. No license or lease shall authorise the commencement of any exploration, prospecting or mining in a reserved forest unless previous notice of such intended commencement shall have been given to the District Forest Officer, and such exploration, prospecting, or mining shall be subject to such conditions as the said officer may prescribe.

25. Should the applicant for a prospecting license or mining lease desire the Collector to prepare for him the sketch required by rule 11 (2) (*b*) or the map required by rule 19 (*c*), or should the sketch or map presented by the applicant be insufficient, the Collector may prepare the sketch or map required, and may, if he so order, recover the cost from the applicant at a rate not exceeding 4 annas per acre. If the Local Government has prepared a map of a tract of country specially for the convenience of intending applicants for licenses and leases under these rules, and if any applicant makes use of such map for the sketch or map aforesaid, it will be open to the Local Government to recover as above such share of the cost of preparing the map as it may consider to be equitably due from such applicant.

26. If a license or lease is not executed within six months after lease has been granted for it, the right of the applicant to such license or lease shall be held to have lapsed, unless the Local Government, for special reasons, consents to grant the same notwithstanding the delay.

SCHEDULE A.

[Vide *Nos.* 8 (2), 14, 20 *and* 21 *of Rules.*]

	Maximum area in square miles for—		Distance in miles between grants to same person—	
	Prospecting.	Mining.	Prospecting	Mining.
Coal	4	2	8	2
Oil	2	1	4	1
Gold or silver	1	½	1	½
Metals	1	⅓	4	⅛
Precious stones	1	*	1	*

* Will be decided by the Government of India in each case on its merits.

SCHEDULE B.

[Vide *Nos.* 16 (ii), 23 (ii) *and* 23 (iii) *of Rules.*]

Rent charged for—	Prospecting	Mining.	
		Surface rent per acre.	Dead rent per acre (minimum).
Coal	A moderate rent not exceeding one rupee per acre.	The rent rate assessable under the revenue or rent law of the province, or, if no such rent is so assessable, the rate which may be fixed by agreement subject to a maximum of one rupee.	4 annas.
Oil			1 rupee.
Gold or silver ...			1 "
Iron			1 anna.
Other metals ...			1 rupee.

The rate for a mining lease for precious stones will be decided by the Government of India in each case on its merits (No. 18 of rules).

SCHEDULE C.

[Vide *Nos.* 16 (iii) *and* 23 (i) *of Rules.*]

	Prospecting and Mining.
Royalty—	
Coal, exclusive of dust and coal used on the works.	2 annas per ton.
Oil	8 annas per 40 gallons or 5 per cent. *ad valorem.*
Gold or silver	7½ per cent. of value of gold or silver extracted
Iron	½ anna per ton of ironstone.
Copper, tin, lead or other metals ...	2½ per cent on the sale value at the pit's mouth of the dressed ore or metal, convertible at the option of the lessee to an equivalent charge per ton to be fixed annually or for a term.
	Prospecting [No. 16 (iii) of Rules]
Precious stones*...	30 per cent on value.

Model form of mining lease. Government of India Revenue and Agricultural Department, No. $\frac{2115}{25-42}$, dated 21st September 1892.

With reference to the last clause of rule 20, the following form of mining lease should be adopted so far as it may be applicable to any particular concession. The form has been drafted as for the lease of a coal mine, but, with slight alterations, can be adapted for any other species of mining.

No clause has been inserted answering to rule 23 (vi) of the mining rules, which provides that a lessee shall not cut or injure any tree reserved in the lease. Such a reservation will be of rare occurrence; and when made, must necessarily involve the insertion of a special clause for the protection of the trees in question.

MODEL FORM OF LEASE.

This indenture made the day of 18 between the Secretary of State for India in Council hereinafter called "the lessor" which expression shall be taken to mean and include the said Secretary of State for India in Council and his suc-

* The rates for a mining lease will be decided by the Government of India in each case on its merits (No. 13 (2) of rules.)

cessors in office and assigns except when the context requires another or different meaning of the one part and
hereinafter called "the lessee" *which expression shall be taken to* mean and include the said
his heirs executors administrators representatives and assigns except when the context requires another or different meaning of the other part witnesseth that in consideration of the rents and lessee's covenants hereinafter reserved and contained the lessor doth hereby demise unto the lessee the mines beds veins and seams of coal mentioned and described *in the first part of the schedule hereunder* written together with the liberties powers and privileges to be exercised in connection with the said mines which are mentioned in the second part of the said schedule subject to the restrictions and conditions as to the exercise and enjoyment of the same liberties powers and privileges which are specified in the third part of the said schedule except and reserved out of this demise unto the lessor the liberties powers and privileges mentioned and specified in the fourth part of the said schedule.

To hold the houses and premises intended to be hereby demised unto the lessee from the day of *for the term of* years thence next ensuing yielding and paying to the lessor the several rents and sums of money mentioned and specified in the fifth part of the said schedule subject to the provisions relating to the said rents expressed in the sixth part of the said schedule and the lessee doth hereby covenant with the lessor as in the seventh part of the said schedule is expressed and the lessor doth hereby covenant with the lessee *as in the eighth part of the said* schedule is expressed and it is hereby mutually agreed and declared by and between the parties hereto as in the ninth part of the said schedule is expressed and it is declared that the schedule hereunder written shall be deemed part of these presents and be read *and construed* accordingly.

In witness, &c.

THE SCHEDULE ABOVE REFERRED TO

Part I.—The mines demised by this lease.

The mines beds veins and seams of coal lying and being within and under the land situate lying and being in

Description of mines.

in which are delineated in the plan hereunto annexed and therein colored [ ] and contain an area of or thereabouts

Part II.—Rights and privileges to be exercised or enjoyed by the lessee but subject to the restrictions and conditions in Part III.

Grant of liberty to work the mines.

1. Liberty and power for the lessee at all times during the term hereby granted to work the said mines and to win and get the said mines and premises and the produce thereof.

To sink pits.

2. Liberty and power to dig sink drive make repair and use all such pits shafts drifts levels water-gates watercourses air-gates and other works as may be necessary or proper for searching for mining working and getting the said mines and premises and for ventilating and draining the same.

To appropriate water.

3. Liberty and power to appropriate and use for any purpose connected with the working of the said mines the water upon or within any of the said lands and to collect and impound the same in ponds reservoirs or otherwise for the purpose of working the said mines but so that in the exercise of this privilege the lessee shall not deprive any lands villages houses or watering places for cattle of a reasonable quantity of water as before accustomed and do not in any manner foul impregnate or otherwise deteriorate any springs or streams of water so as to render them useless or unprofitable.

To appropriate land for stocking.

4. Liberty and power to enter upon use and occupy a sufficient part of the said lands adjoining any pits for depositing and heaping thereon the produce of the said mines and all the earth soil and other substances dug up and brought to the surface in or about the working of the same and for otherwise carrying on the works of the said mines.

To convert coal into coke

5. Liberty and powers in and upon the said lands to convert coal into coke whether for purposes of sale or otherwise.

To lead and carry away coal.

6. Liberty and power to take lead and carry away over the said lands the coal to be gotten as aforesaid and the coke to be made and manufactured under the liberties and powers hereinbefore granted and to dispose of the same at his own will and pleasure.

To erect houses.

7. Liberty and power to erect set up and make in upon and over the said lands workmen's houses sheds engines machinery furnaces buildings erections railroads train roads and other roads and works necessary or convenient for the effectual working of the said mines and the exercise of the several liberties and powers hereinbefore granted.

8. Liberty and power to search for get and dig gravel sand and stone within the said lands for the purposes mentioned in this second part of this schedule but not for sale and also to dig for and get clay and to make and burn the same into bricks for the purposes aforesaid but not for sale.

Part III.—Restrictions and conditions as to the exercise of the above liberties powers and privileges.

No building, &c., upon sacred places.

1. No building or thing shall be erected or set up and no other surface operations carried on by the lessee by virtue of the liberties and privileges above granted in or upon any place of worship sacred grove burial ground house village site public road or other place in respect of which on public grounds it appears to the Local Government that objections exist to so doing nor in such a way as to injure or affect any buildings or other works property or rights of private individuals nor shall any land be taken or occupied for surface operation if the same is already in the occupation of and used by persons other than the lessor for other works or purposes not included in this present demise if any other lands not so occupied and used are suitable and convenient and equally available for such surface operations and the lessee shall pay to the owners tenants and occupiers full compensation and satisfaction for all damage or injury which may be done or occasioned in or about the carrying on of such surface operations and shall keep indemnified the lessor from and against all actions suits claims and demands in relation thereto.

Notice to be given before entering on lands and lessor to be at liberty to object to proposed site.

2. Before taking any land for surface operations which has not already been used for such operations the lessee shall give to the lessor's agent (who for the purposes of this clause shall be taken to be the for the time being) two calendar months' previous notice in writing specifying by name or other sufficient designation and by quantity the land proposed to be taken and the purpose for which same is required The lessor's agent may at any time within two calendar months from the receipt of such notice state his objections if any to the proposed site and the validity of such objections in case of dispute shall be determined by reference to the Local Government whose decision thereon shall be final.

Part IV.—Rights reserved to lessor.

Liberty and lessor to work mineral, &c.

1. Liberty and power for him the lessor and any lessee or other person authorized by him on that behalf to enter into and upon the said lands and to search for dig work and get any minerals or substances other than coal in upon or under the said lands and for the purposes aforesaid to sink make erect and use such pits shafts levels drains water courses reservoirs tunnels buildings engines or machinery canals rail-

ways wagon-ways and other ways works and conveniences upon through or under the said land as shall be necessary or expedient *Provided always* that the said reserved rights and privileges to work for minerals other than coal shall be exercised and enjoyed in such manner as not to hinder or interfere with the rights and privileges of the lessee under these presents and *Provided also* that fair and proper compensation shall be paid by the lessor for all loss damages or injury which the lessee may sustain or be put to by reason or in consequence of the exercise of the said reserved rights and privileges to work for minerals other than coal the amount of such compensation to be settled in case of difference by reference to the said Local Government whose decision thereon shall be final.

2. Liberty and power for the lessor if the lessee shall not within months from the commencement of the said term hereby granted have started operations under this lease to some substantial extent or if at any time during the said term such operations shall not be in *bonâ fide* progress to the satisfaction of the said Local Government to re-enter upon the said premises and to hold the same and to lease the same to third parties or otherwise deal with the same as if this lease had not been made.

Part V.—Rents reserved by this lease.

Certain half-yearly rent.

1. The certain half-yearly rent of Rs. shall be paid by the lessee to the lessor at for and in respect of the said mines and premises from the day of by equal payments on the day of and the day of in each year for the half-year immediately preceding the first of such half-yearly payments to be made on the day of For and in respect of such certain half-yearly rent of Rs. the lessee may in every half-year during the currency of this demise work and get from or out of the said mines and sell or export such a quantity of coal and coke manufactured thereform as at the rate hereinafter mentioned would yield or pay for that half-year a royalty equal in amount to the said certain half-yearly rent of Rs. But the said certain rent as from the said day of shall always be paid whether such quantity shall in fact be gotten or not

2. The lessee shall during the months of the said term from the day of to the day of pay to the lessor the royalty of annas for every ton or part of a ton of coal which shall be sold at the said mines or exported therefrom for sale or otherwise or which shall be manufactured into coke and shall during the remainder of the said term pay the said royalty for every ton or part of a ton of coal which shall be sold at the said mines are exported therefrom for sale or otherwise or which shall be manufactured into coke in any half-year of the said term

ways wagon-ways and other ways works and conveniences upon through or edient work *Provided* a such for minerals manner as not to hinder or interfere with the rights and privileges of the lessee under these presents and *Provided also* that fair and proper compensation shall be paid by the lessor for all loss damages or injury which the lessee may sustain or be put to by reason or in consequence of the exercise of the said reserved rights and privileges to work for minerals other than coal the amount of such compensation to be settled in case of difference by reference to the said Local Government whose decision thereon shall be final.

2. Liberty and power for the lessor if the lessee shall not within months from the commencement of the said term hereby granted have started operations under this lease to some substantial extent or if at any time during the said term such operations shall not be in *bonâ fide* progress to the satisfaction of the said Local Government to re-enter upon the said premises and to hold the same and to lease the same to third parties or otherwise deal with the same as if this lease had not been made.

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1. The certain half-yearly rent of Rs. shall be paid by the lessee to the lessor at for and in respect of the said mines and premises from the day of by equal payments on the day of and the day of in each year for the half-year immediately preceding the first of such half-yearly payments to be made on the day of For and in respect of such certain half-yearly rent of Rs. the lessee may in every half-year during the currency of this demise work and get from or out of the said mines and sell or export such a quantity of coal and coke manufactured thereform as at the rate hereinafter mentioned would yield or pay for that half-year a royalty equal in amount to the said certain half-yearly rent of Rs. But the said certain rent as from the said day of shall always be paid whether such quantity shall in fact be gotten or not

2. The lessee shall during the months of the said term from the day of to the day of pay to the lessor the royalty of annas for every ton or part of a ton of coal which shall be sold at the said mines or exported therefrom or sale or otherwise or which shall be manufactured into coke and shall during the remainder of the said term pay the said royalty for every ton or part of a ton of [illegible] said mines are exported therefrom f[illegible] shall be manufactured into coke in any half-year [illegible]

from time to time and at all times during the said term hereby granted conform to and observe all orders and regulations which the lessor as the result of such inspection may from time to time see fit to impose in the interests of public health and safety and also shall particularly without delay send to the Collector or Deputy Commissioner of the District a report of any accident which may at any time occur at or in the said lands or any pit or shaft or mine.

6. The lessee shall at all times upon finding any mineral or product other than that or those for which this lease is granted immediately report such finding in writing to the Collector or Deputy Commissioner of the District with full particulars of the nature and position of each find.

To keep books of accounts.

7. The lessee shall at all times during the said term keep or cause to be kept at the office or counting-house of the or marks to be situate in or contiguous to some part of the said lands correct and intelligible books of accounts upon such plan or principle and in such form as may be approved of by the said Local Government which books shall contain accurate entries of (1) the quantity of coal raised and brought to bank from the mines which have been or may be made or sunk by the lessee under the license and liberty on that behalf hereinbefore contained (2) the quantity of coal manufactured into coke (3) the quantity of coal or coke sold and exported from the said mines and (4) the quantity of coal otherwise disposed of and the manner and purpose in and for which the same have been or are intended to be applied (5) the number of persons employed in the said mines together with all other facts necessary or proper for conveniently ascertaining amount of the royalty from time to time payable under these presents and the manner in which such coal or coke have been disposed of and shall also at his own expense furnish to such officer as the said Local Government may from time to time direct and at such times as the said Local Government may appoint true and correct abstracts of all or any of such accounts and shall at all responsible times allow such officers or persons as the said Local Government shall in that behalf appoint to enter into and have free access to the said office or counting house for the purpose of examining and inspecting the said several books of account and to take copies thereof and make extract therefrom.

Furnish abstract of accounts, &c.

To keep plans of working.

8. The lessee shall at all times during the said term cause to be made and kept at the said office or counting house true and correct and intelligible plans and sections of the said mines which plans and sections shall show as well the operations and workings which have been carried on as also all views faults and other disturbances which have been observed and encountered in such workings and operations and all

Part VII.—The lessee's covenants.

To pay rent rates and taxes.

The lessee shall pay the rent and royalty reserved by this lease at the times and in the manner above appointed in that behalf and shall also pay and discharge all taxes rates assessments and impositions whatsoever being in the nature of public demands which shall from time to time be charged assessed or imposed upon the said mines or any part thereof by authority of the Government of India or the said Local Government or otherwise except demands for land revenue and shall also pay interest at the rate of per cent. per annum on all arrears of such rent or royalty from the due date thereof.

To erect boundary marks.

2. The lessee shall at his own expense forthwith erect and at all times maintain and keep in repair boundary marks and pillars according to the demarcation shown in the plan hereto annexed so that the boundaries of the said lands may at all times be maintained.

To work continuously.

3. The lessee shall within months from the commencement of the term hereby granted start and work the said mines to the satisfaction of said Local Government and shall thereafter at all times during the continuance of this lease continuously work for and as far as possible obtain coal from the said lands and maintain in good repair working order and condition and work all mines when opened without voluntary intermission in a skilful and workmanlike manner and upon the most approved principle without doing or permitting to be done any unnecessary or avoidable damage to the surface of the said lands within or under which the said mines lie and shall not cultivate or use the said lands in any manner save for the purposes of this demise and the rights hereby granted.

To secure pits and shafts.

4. The lessee shall well and properly secure and keep open with timber or other durable means all pits and shafts to be sunk or made in the said lands and make and maintain sufficient fences round every such pit or shaft and also shall at all times during the said term keep the said mine except abandoned mines free from water and from foul air as far as possible.

5. The

Lessor to i

by the lessee under the liberties hereinbefore granted and the lessee with proper persons employed by him and acquainted with the workings of mines and works shall effectually assist the lessor's agents servants and workmen in conducting such inspection and shall afford them all information connected with the working of the mines which they may reasonably require AND ALSO shall and will

from time to time and at all times during the said term hereby granted conform to and observe all orders and regulations which the lessor as the result of such inspection may from time to time see fit to impose in the interests of public health and safety and also shall particularly without delay send to the Collector or Deputy Commissioner of the District a report of any accident which may at any time occur at or in the said lands or any pit or shaft or mine.

6. The lessee shall at all times upon finding any mineral or product other than that or those for which this lease is granted immediately report such finding in writing to the Collector or Deputy Commissioner of the District with full particulars of the nature and position of each find.

To keep books of accounts.

7. The lessee shall at all times during the said term keep or cause to be kept at the office or counting-house of the or marks to be situate in or contiguous to some part of the said lands correct and intelligible books of accounts upon such plan or principle and in such form as may be approved of by the said Local Government which books shall contain accurate entries of (1) the quantity of coal raised and brought to bank from the mines which have been or may be made or sunk by the lessee under the licence and liberty on that behalf hereinbefore contained (2) the quantity of coal manufactured into coke (3) the quantity of coal or coke sold and exported from the said mines and (4) the quantity of coal otherwise disposed of and the manner and purpose in and for which the same have been or are intended to be applied (5) the number of persons employed in the said mines together with all other facts necessary or proper for conveniently ascertaining amount of the royalty from time to [illegible] nd the manner in which such [illegible] shall also at his own expense [illegible] Local Government may from [illegible] as the said Local Government may appoint true and correct abstracts of all or any of such accounts and shall at all responsible times allow such officers or persons as the said Local Government shall in that behalf appoint to enter into and have free access to the said office or counting house for the purpose of examining and inspecting the said several books of account and to take copies thereof and make extract therefrom.

Furnish abstract of accounts, &c.

To keep plans of working.

8. The lessee shall at all times during the said term cause to be made and kept at the said office or counting house true and correct and intelligible plans and sections of the said mines which plans and sections shall show as well the operations and workings which have been carried on as also all views faults and other disturbances which have been observed and encountered in such workings and operations and all

such plans and sections shall be made amended and filled up by and from actual surveys to be made for that purpose at the end of every period of twelve months and the lessee shall at his own cost furnish to the lessor true and correct copies of such plans and sections when thereunto required.

To provide weighing machine.

9. The lessee shall provide and at all times keep at or near the pit head or each of the pit heads at which the produce of the said mines shall be brought to bank a good and properly constructed weighing machine and shall weigh or cause to be weighed therein all coal brought to bank from or out of the mines hereby demised or which may be sunk or made by the lessee under the license and liberty in that behalf hereinbefore contained and shall at the end of each day cause the total weights of the coal gotten during the previous twenty-four hours and weighed as aforesaid to be entered in the aforesaid book or books of account the lessee shall also weigh [illegible] use to be weighed [illegible] ported from the [illegible] be made daily in the aforesaid books of account of all coal so sold or exported and of all coal manufactured into coke and it shall be lawful for the lessor at all times during the said term to employ any person or persons to be present at the raising and weighing of the said coal and the removal thereof from the mines for sale or for export and to keep accounts thereof and to check the accounts kept by the lessee.

The lessor may test weighing machine.

10. The lessor may through his agents or servants at any time or times during the said term examine and test each and every weighing machine or machines to be provided and kept by the lessee as aforesaid and the weights used therewith in order to ascertain whether the same respectively are correct and in good repair and order and if upon any such examination or testing any such weighing machine or weights shall be found incorrect or out of repair or order it shall be lawful for the lessor or his agent to require that the same be adjusted repaired and put in order by and at the expense of the lessee and to hinder the use thereof in the meantime and if such requisition be not complied with within fourteen days after the same shall have been made the lessor or his agent may cause the said weighing machine and weight respectively to be adjusted repaired and put in order and may recover the expense of so doing from the lessee and if upon any such examination or testing as aforesaid any error shall be discovered in any weighing machine or weights to the prejudice of the lessor such error shall be considered to have existed for three calendar months previous to the discovery thereof or from the last occasion of so examining and testing the same weighing machine and weights in case such occasion shall be within such period of three months and the said rent and royalty shall be paid and accounted for accordingly.

11. The lessee shall not assign or underlet the premises hereby

Not to assign or underlet without license.

(1) to any person or pe[illegible] lessor under the hand of a Secretary to the Local Government or (2) to any company without the like consent under the hand of a Secretary to the Government of India for that purpose first had and obtained.

12 The lessee shall at all times have at the said premises a duly accredited manager or agent to whom all notices may be given and all communications from the lessor may be made. If there shall not at any time be such an agent on premises the lessor shall

13 The lessee shall at the end or sooner determination of the said term deliver up to the lessor in good order repair and condition and fit for future working all mines which have been or may be made or sunk by the lessee under the license and liberty in that behalf hereinbefore contained together with all engines pits shafts watercourses-air gates levels and fixtures below ground level and which cannot be moved without causing injury to the said mines except any pits shafts or other works which shall have been abandoned or disused in the ordinary and fair course of working of the said mines and permises.

To deliver up mines, &c, in good order

Part VIII.—The lessor's covenants.

1. The lessee paying the rents hereby reserved and observing and performing the covenants and provisions herein contained and on his part to be observed and performed shall and may peaceably and quietly hold and enjoy the rights and premises hereby demised for and during the term hereby granted without any lawful interruption from or by the lessor or any person rightfully claiming from or under him.

For quiet enjoyment.

2. If the lessee shall be de[illegible] l lease of the said [illegible] years fr[illegible] hereby granted and of such [illegible] such last mentioned term give to the lessor six calendar months

* To renew lease.

* NOTE—No provision for renewal of any lease should be agreed to or inserted in any lease without the express sanction of the Government of India.

previous notice in writing and pay the said rent and royalty hereby reserved and observe and perform the several covenants herein contained and on the part of the lessee to be observed and performed up to the expiration of the said term hereby granted the lessor will upon the request and at the expense of the lessee and upon his executing and delivering to the lessor a counterpart thereof sign and deliver to the lessee a renewed lease of the said premises for the further term of years at the same rent and under and subject to similar covenants provisions and agreements as are herein contained other than this present covenant but subject nevertheless to the payment by the lessee of such increased royalty as may be then fixed by the Government of India

3. The lessee may at any time or times within six calendar months after the determination [illegible] of time or otherwise enter in [illegible] part thereof for the purpose of [illegible] of for their own use and benefit all the machinery utensils implements articles and things set up and used in and about the working of the said mines and all ovens kilns sheds huts railways tramways and other works (except buildings and erections of brick or stone) erected and then standing upon any of the said lands for the purpose of working the said mines unless the lessor shall be desirous of purchasing the same or any of them in pursuance of the provision in that behalf hereinafter contained.

Part IX.—General Provisions.

Power of distress.

1. If the rent or royalty hereby reserved or either of them or any part thereof respectively shall be behind or unpaid for the space of 60 days next after any of the days whereon the same ought to be paid then and so often as the case shall happen the lessor may enter into and upon the said lands which shall for the time being be possessed or occupied by the lessee for the purposes of this demise and may distrain all or any of the stock of engines plant live and dead stock and things which shall be found in or upon the same premises and the same may take lead drive carry away impound detain and keep until the rent or royalty which shall then be due and all costs and expenses occasioned by the non-payment thereof shall be fully paid and satisfied.

Power of re-entry.

2. If the rent or royalty hereby reserved or either of them or any part thereof respectively shall be behind or unpaid for the space of six calendar months next after any of the days whereon the same ought to be paid as aforesaid and whether the same shall have been legally demanded

or not or if the lessee shall commit any breach of the covenants and conditions contained in the lease and in his part to be observed and performed or any of them in such case it shall be lawful for the lessor at any time thereafter and although he may not have taken advantage of some previous default of a like nature into and upon the said mines or any part thereof in the name of the whole to re-enter and the same to have again repossess and enjoy as of his former estate.

Proviso for lessor to purchase.

3. If at the end or sooner determination of the said term the lessor shall be desirous of purchasing all or any of the buildings or works above ground level set up or constructed by the lessee and shall signify such his desire by notice in writing to the lessee six calendar months at least before the expiration of the said term (or if the said term shall be determined under the power of re-entry hereinbefore contained at any time within three calendar months after the determination of the said term) the lessee shall sell to the lessor all or any of the said buildings and works at a price which shall be fixed or ascertained by taking the net cost of such buildings or works as at date of construction and deducting therefrom for depreciation a sum equivalent to per cent. per annum on the net original cost.

Right of lessee to determine lease of mines destroyed by act of God.

4. If at any time during the continuance of this demise the the said mines shall become destroyed or rendered substantially and permanently unfit for the purposes of this demise by fire tempest or flood or violence of any army or mob or other irresistible force these presents shall at the option of the lessee be void provided that if the injury be occasioned by the wrongful act or default of the lessee or his servants he shall not be entitled to avail himself of the benefit of this provision AND PROVIDED also that if this lease shall become void for or by reason of any of the causes aforesaid it should be without prejudice to the rights and remedies of the lessor under or by virtue of these presents for the recovery of any rent or royalty which may then remain unpaid or in respect of any breach which may have been committed of any of the covenants herein contained on the part of the lessee.

5. Whenever any doubt difference or dispute shall hereafter arise touching the construction of these presents or anything herein contained or any matter or thing connected with the said mines and minerals hereby dealt with or the working or non-working thereof or the amount or payment of any royalty or rent reserved or made payable hereunder the matter in difference shall be decided by the Local Government whose decision shall be final.

POWERS.

Assistant Collectors. Revenue and Rent powers to—
G. O No 31, dated 8th April 1879, as amended by G. Os' Nos. $\frac{1521}{1-907}$, and $\frac{1687}{1-9?7}$, dated 28th October and 18th November 1886. (N.-W. P.)

Newly-joined Civilians attached to the North-Western Provinces will be invested in the Revenue Department with the powers of an Assistant Collector of the 2nd class under the Land Revenue Act only (Act XIX of 1873). Before an officer is invested with the powers of an Assistant Collector of the 2nd class under the Rent Act, XII of 1881, he must have (1) passed the Departmental Examination by the Lower Standard in Revenue and the Vernacular (colloquial), and (2) the application for investment must be supported by a certificate from the Collector to the effect that such officer is competent both in judicial work and vernacular for the purpose of trying cases.

An officer must exercise the powers of an Assistant Collector, 2nd class, for a period of not less than six months before he can be invested with 1st class powers.

Dated 4th January 1887 (Oudh).

Newly-joined Civilians attached to Oudh will be invested in the Revenue Department with the powers of an Assistant Commissioner of the 2nd class under the Land Revenue Act only (Act XVII of 1876). Before an officer is invested with the powers of an Assistant Collector of the 2nd class under the Rent Act, XXII of 1886, he must have (1) passed the Departmental Examination by the Lower Standard in Revenue and the Vernacular (colloquial), and (2) the application for investment must be supported by a certificate from the Deputy Commissioner, to the effect that such officer is competent, both in judicial work and vernacular, for the purpose of trying cases.

An officer must exercise the powers of an Assistant Collector of the 2nd class for a period of not less than six months before he can be invested with the powers of an Assistant Collector of the 1st class.

Assistant Collectors in charge of sub-divisions.
G. O. No. 34A, dated 6th January 1874.
N.-W. P.

Under section 15, Act XIX of 1873, the Government of the North-Western Provinces is pleased to delegate the power of placing Assistant Collectors of the 1st class in charge of one or more sub-divisions to every Collector of a district.

No 4547, dated 20th October 1876 (Oudh).

Under section 6, Act XVII of 1876, the Hon'ble the Lieutenant-Governor and Chief Commissioner is pleased to delegate the power of placing Assistant Commissioners of the 1st class in charge of one or more sub-divisions to every Deputy Commissioner of a district.

Settlement Officers—
G. O. No. 37A, dated 6th January 1874
(N.-W P.)

Under section 240, Act XIX of 1873, all Settlement Officers in charge of a settlement are invested with powers of a Collector, under sections 23 to 29, and sections 107 to 139, Act XIX of 1873, for the purpose of fixing the circles and pay of patwáris and appointing patwáris and for making partitions.

All officers (whether Covenanted Deputy-Collectors, Assistant Collectors, or Uncovenanted Deputy Collectors, *or others*) who have received powers of a Deputy Collector under Regulation IX of 1833 to be Assistant Collectors of the 1st class, under Acts XII of 1881 and XIX of 1873, (North-Western Provinces Rent and Land Revenue Acts.)

Powers of officers under Regulation IX of 1873—G. O No. 32A, dated 6th June 1874 (*N.-W. P.*)

All persons who are, or who hereafter may be appointed to be or to officiate as, Deputy Collectors for employment in settlement work, to be Assistant Settlement Officers under section 38, Act XIX of 1873, and to be invested with powers under clauses (2) and (5), section 238 of the same Act.

Settlement Deputy Collectors. Ex officio powers of—G O. No 1270A, dated 28th June 1875 (N.-W. P.).

All persons who are, or who may hereafter be appointed to be or to officiate as, Deputy Collectors for employment in settlement work, to be Assistant Settlement Officers, under section 19, Act XVII of 1876, and to be invested with powers under clauses (*b*), (*d*) and (*f*) of section 181 of the same Act.

Notification No. 1913/I—160, *dated* 29th *July* 1893 (Oudh)

All persons who are, or who may hereafter be, appointed to be, or to officiate as, Deputy Collectors for employment in settlement work, to be Assistant Settlement Officers, under section 13, Act XIX of 1873, and to be invested with powers under section 97 of Act XII of 1881.

G O, No. 1271A, dated 28th June 1875 (N.-W.P.).

Unless it be otherwise expressly directed in any case, all persons who may hereafter be appointed, on promotion from the office of Tahsildár, to be or to officiate as Deputy Collectors, to be, so long as they are or officiate as Deputy Collectors, Assistant Collectors of the 1st class, under section 13, Act XIX of 1873, and to be vested with the powers of an Assistant Collector of the 1st class under section 97, Act XII of 1881.

Deputy Collectors. Ex-officio powers of—G. O No 1340A, dated 15th May 1875 (N.-W.P.).

Unless it be otherwise expressly directed in any case, all persons who may hereafter be appointed on promotion from the office of tahsildár to be, or to officiate, as, Deputy Collectors in Oudh, to be, so long as they may hold such office, invested with the powers of an Assistant Commissioner of the 1st class, as defined in section 179, Act XVII of 1876, and of an Assistant Collector of the 1st class, as defined in section 114, Act XXII of 1886.

No. [illegible], dated 4th January 1887 (Oudh).

Unless it be otherwise expressly directed in any case, all persons who [illegible] on promotion from [illegible] Collectors, to [illegible] [illegible]ctors, Assistant [illegible] [illegible]X of 1875, and to be invested with the powers of an Assistant Collector of the 2nd class under section 97 Act XII of 1881.

G. O. No 1341A, dated 15th May 1875 (N.-W.P.).

No. 41 & 43 R / 651 A & 659 A of 4th June 1887. (Oudh).

Unless it be otherwise expressly directed in any case, all persons who may hereafter be appointed otherwise than on promotion from the office of tahsíldár, to be or to officiate as Deputy Collectors in Oudh, to be so long as they may hold such office, invested with the powers of an Assistant Commissioner of the 2nd class, as defined in section 180, Act XVII of 1876, and of an Assistant Collector of the 2nd class, as defined in section 113, Act XXII of 1886.

Tahsildars. Ex-officio powers of—
G. O 12 No. 1168A, dated 28th June 1875 (N.-W. P.).

All persons who are, or who hereafter may be, appointed to be or to officiate as Tahsíldárs, to be Assistant Collectors of the 2nd class under section 13, Act XIX of 1873, and to be invested with the powers of an Assistant Collector of the 2nd class under section 97, Act XII of 1881.

Nos. 39 & 42R / 651A & 659A, dated 4th January 1887 (Oudh)

All persons who are, or who hereafter may be, appointed to be or to officiate as Tahsíldárs in Oudh, to be invested with the powers of an Assistant Commissioner of the 2nd class as defined in section 180, Act XVII of 1876, and of an Assistant Collector of the 2nd class as defined in section 113, Act XXII of 1886.

Powers of officers transferred from the North-Western Provinces to Oudh and *vice versá* under the Local Land Revenue and Rent Acts.
No. 616 / 1—620A, dated 23rd April 1890.

Under sections 97 and 103 of Act XII of 1881 (the North-Western Provinces Rent Act), the Hon'ble the Lieutenant-Governor and Chief Commissioner is pleased to confer upon officers invested with the powers of an Assistant Collector of the 1st or 2nd class, as the case may be, under section 110 of Act XXII of 1886 (the Oudh Rent Act), and transferred to the North-Western Provinces, the powers, respectively, of an Assistant Collector of the 1st or 2nd class.

No. 617 / 1—620A, dated 23rd April 1890.

Under section 110 of Act XXII of 1886 (the Oudh Rent Act), the Hon'ble the Lieutenant-Governor and Chief Commissioner is pleased to confer upon officers invested with the powers of an Assistant Collector of the 1st or 2nd class, as the case may be, under section 97, Act XII of 1881 (the North-Western Provinces Rent Act), and transferred to Oudh, the powers, respectively, of an Assistant Collector of the 1st or 2nd class.

No. 618 / 1—620A, dated 23rd April 1890.

Under section 9 of Act XVII of 1876 (the Oudh Land Revenue Act), the Hon'ble the Lieutenant-Governor and Chief Commissioner is pleased to confer upon all officers appointed to be Assistant Collectors of the 1st or 2nd class, as the case may be, in the North-Western Provinces and transferred to Oudh, the powers, respectively, of an Assistant Commissioner of the 1st or 2nd class.

No. 619 / 1—620A, dated 23rd April 1890.

Under section 13, Act XIX of 1873 (the North-Western Provinces Land Revenue Act) the Hon'ble the Lieutenant-Governor and Chief Commissioner is pleased to confer upon all officers appointed to be Assistant Commissioners of the 1st or 2nd class as

the case may be, in Oudh, and transferred to the North-Western Provinces, the powers respectively of an Assistant Collector of the 1st or 2nd class.

Form in which applications for powers are to be submitted.

G. O. No. $\frac{701}{I-191A}$, dated 1st June 1887.

The accompanying form, printed copies of which can be had on application to the Superintendent, Government Press, North-Western Provinces and Oudh, should be used in future in making recommendations for the grant of powers under the Revenue and Rent Acts Nos. $\frac{\text{XIX of 1873, N.-W. P. and XII of 1881, N.-W. P.}}{\text{XVII of 1876, Oudh, and XXII of 1886 Oudh}}$, respectively.

Application for conferment of powers under the Revenue and Rent Acts Nos. XIX of 1873 *XVII of* 1876 *and XII of* 1881 *and XXII of* 1886.

Officer's name and designation.	Examinations passed, quoting Notifications.	Highest powers hitherto exercised, quoting Notifications	Powers proposed to be given.	Grounds of recommendation by District Officer	Remarks by Commissioner.

Applications for conferment of rent and revenue powers, Oudh.

G. O. No. $\frac{451}{I-337}$, dated 10th March 1891

Applications for the conferment of rent and revenue powers on officers serving in Oudh should be submitted direct by Commissioners to the Board of Revenue, North-Western Provinces and Oudh, and not to the Judicial Commissioner, as hitherto.

PUBLIC PROPERTY.

State property. Rules regarding—
No 132, dated 10th January 1885.

A CASE has recently been brought to the notice of the Government of India in which the civil authorities had proposed to cut a railway embankment with the object of letting off flood-waters the overflow of which threatened to cause much damage and loss. District Officers should not order the destruction of any railway embankment or bridge or other large work, whether it be the property of the State or of a private company, without first taking the advice of some responsible professional officer. As a rule, the engineering authorities charged with the control of the work concerned should be consulted.

Land. Acquisition of—for public purposes
No 166, dated 13th December 1879 and No. $\frac{1246}{\text{I-133B}}$, dated 4th May 1893.

WITH reference to para. 3, part I of Board's Circular No. $\frac{\text{I}}{\text{VIII-341}}$ dated the 10th December 1875, and to Board's Circular No. $\frac{2}{\text{VIII-17}}$, dated the 28th February 1879, and annexure, it is laid down that before application is made for the acquisition of land for public purposes, the necessity for the appropriation must be clearly established, and an estimate framed of the compensation to be paid and of the revenue to be remitted. It should also be stated that formal acquisition under the Act is considered preferable to purchase by private contract, or that the latter course has been found impracticable. Where easements are found to exist, purchase by private contract should not be adopted, and inquiry should invariably by made into the existence of easements, the result of the inquiry being mentioned in the application for acquisition.

This rule must be observed in every case. Until this information is supplied a notification cannot be issued.

G. O. No. $\frac{95}{\text{I-593}}$, dated 13th January 1885.

WITH reference to the orders contained in Financial (Decentralization) Department No. 304, dated 2nd June 1884, declaring (i) that it was not the intention of Government to authorize Local Boards, under the orders issued in paragraph 3 of Financial Department Resolution No. 66, dated 29th January 1883, to initiate and carry out projects which cost not more than Rs. 1,000 and which involved appropriation of land entailing remission of land-revenue) and (ii) that the sanction of Government should be obtained to such projects, Commissioners of Divisions are reminded that under orders since issued by the Revenue Department of this Government in a letter (No. 2474, dated 22nd November 1883), to the address of the Board of Revenue, North-Western Provinces, the power of according sanction to the remission of revenue and payment of compensation on account of lands acquired for public purposes by the several Department [illegible]
Revenue. [illegible]
sition of la[illegible] public purposes
with the Government as heretofore.

In future all applications for the appropriations of land for public purposes involving remission of revenue will be dealt with in the ordinary manner, *i e.*, if no objection exists, the applications will, as usual, be sanctioned in the first instance, the necessary notification will then issue, and reference should thereafter be made by the local officer to the Board of Revenue through the Commissioner of the Division, for sanction to the remission of revenue.

Relinquishment of land Intimation of—to be given to Board of Revenue.
Circular No 10, Financial, dated 2nd March 1881.

WITH the view of enabling the Board of Revenue properly to check receipts from the alienation of Government land, all Heads of Departments should report to the Board whenever any land taken up for a public purpose is relinquished by their department. In so reporting it will be sufficient to specify the situation and area of the relinquished land.

Transfer of immovable property to a local authority.
Government of India, Department of Finance and Commerce, No. 4374, dated 23rd October 1891 and No 848, dated 29th February 1892.

IN a recent case it was found necessary to resume from a local body certain land which was originally the property of the State but which had been transferred to the local body free of charge. On its resumption by the State the full value of the land was claimed by the local body as compensation, although the land was no longer required for the purposes for which it had been transferred. As the land had been absolutely vested in the local body the claim could not be resisted.

It is expedient to prevent the recurrence of such cases, and the Governor-Gen [illegible] that, in future, when [illegible] local authority for public purposes, the [illegible] ly on the condition, in addition to any others that may be settled, that, should the property be at any time resumed by the Government, the compensation payable therefor shall in no case exceed the amount (if any) paid to the Government for the grant, together with the cost or their present value, whichever shall be the less, of any buildings erected or other works executed on the land by the local authority.

In cases in which the land is sold to a local body for its full market value as a business transa[illegible] no concession to the local body is involved in the [illegible] above need not be insisted upon [illegible] however, no objection to the Loca[illegible] tion if considered desirable, and if the local body is willing to take the land subject to such a condition.

RATS.

Rats. Destruction of—No. 34, dated 5th July 1880.

District officers should use their utmost influence to induce the zamíndárs and cultivators, in whose villages damage is sustained, to eradicate the rats, as far as possible, at the commencement of the rains. It should be explained that, unless they exert themselves then, they must not look for remissions or suspensions of rent or revenue afterwards.

The commonest modes of destroying these animals are as follows :—

(1) Drowning or flooding out (*vide* memo. from Allahabad Commissioner's office, below).

Where water is available this seems to be the most effective plan.

(2) Smoking them out with charcoal, &c., also effective when properly carried out.

(3) Digging out : easily done in the rains (*vide* memo. quoted above).

(4) Traps. Some of those found most effective are described below. Further details, if desired, can be obtained from the Colllectors of districts in which they have been used.

(5) Poisonous preparations. These are not popular with natives, and have been generally found to be of little use.

(6) Hunting with dogs, &c.

Collectors should advocate the use of such of these as are best suited to local conditions and to the tastes of the people. Castes with special aptitude for the work should be encouraged by the zamíndárs to assist, and every endeavour made to ensure that extermination is, as far as possible, complete. Giving rewards is not recommended, and would be unadvisable, except in very extreme cases as a last resource.

I.—Report by the Collector of Agra, dated 22nd March 1880.

The zamíndárs and cultivators have devised the following means for their destruction :—

A pit in the field was dug, in which an earthen pot with a broad mouth was placed and filled with water mixed with cowdung. Two cross sticks were placed above it, and a piece of bread smeared with assafœtida suspended over it in the middle.

When the rat attempts to spring for the bread, he loses his balance and falls into the pot and is drowned.

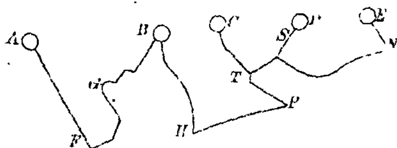
This plan, which was adopted in the Pinahat tahsil, was very successful, and 50 rats were estimated to have been destroyed in each trap every day.

I cannot find that there are in this district any class like the Musahārs of the eastern districts, whose trade is the destruction of rats and mice, as their name shows. These men have a most effective method of destroying rats. They fill a common *ghara* with moist straw or dried leaves moistened with water. They then place a live coal among the moistened leaves or straw and make a small hole on the side of the *gharah*. The mouth of the *gharah* is placed over the entrance of the rat's burrow, and the Musahar blows with as much strength as he can through the small hole on the side of the *gharah*. The smoke caused by the live coal acting on the moistened grass is driven through the mouth of the *gharah* into the rat-holes, and they must either rush out or be suffocated. The confederates of the operator strike them down as they rush out with arhar branches, and kill sometimes twenty and thirty in as many minutes.

II.—Memo. by Mr. More, Head Assistant, Commissioner's Office, Allahabad.

The rains came on, and I then found it very easy to track these pests and destroy them.

I subjoin a diagram showing roughly how field-rats burrow. The circles in the diagram represent the openings on the earth's surface from which the rats issue to feed:



I must explain that a field-rat is not satisfied with digging a single hole from which it issues to feed and to which it returns after feeding. But its onward progress is effected by burrowing. Thus, after destroying the crops within the circle formed with A as centre and ½ AB as radius, it burrows, in order to proceed to B, from F to G and from G to B, and so on as it advances to C, D, and E.

I found the rains the most suitable time for tracking these vermin, because almost all the holes, except the one in which the rat happens to be at the time, get filled up either by the earth subsiding from the damp and wet or by the surface earth carried by the rain into the holes.

Thus, supposing the rat to have made only the three openings A, B and C on the earth's surface when rain falls and that the rat is at P, he quickly shuts off the channels at H and T, to prevent himself being swamped. He then waits for the rain to cease and the earth to become somewhat dry, when he again commences to burrow from T to S and from S to D. It is always easy in the rain to know with some degree of certainty where a rat is, from the fact that the earth (in the above exemplar) thrown up at D looks fresh and moist. Now is the time to dig at D up to (say) S. Have a chatty of water ready, and having come to S pour in water Very little is required to bring the rat to the surface when he is easily killed. I killed by these means about 28 rats in a week.

III.—List of traps.

(a) The Deputy Commissioner of Lalitpur brings to notice a plan which some of the zamindárs say they adopted with great success. A large earthen vessel is sunk in the ground, the mouth or top being level with it. This is filled with water to within about six inches of the top, and into this water some "kodon bhusa" or juar husk, to form a sort of raft, is thrown, and on this freshly roasted till spread. The rats, attracted by this bait, jump on to the bhusa or husk and are drowned.

(b) The Collector of Cawnpore reports that some cultivators have used a trap consisting of a flat earthen platter or disc supported by a piece of stick to which is attached a piece of bread.

(c) A trap used in the Agra district is described above.

(d) The Deputy Commissioner, Rae Bareli, gives the following description of a rat-trap used in his district and said to be very successful :—

It consists in an application of the bow and arrow to rat-catching. The arrow is tied by a string, and so fixed by two small holes through which it passes as not to fly beyond a certain point or except in a certain direction. The line of its short flight lies exactly through the body of any rat that nibbles at the bait. The trap is set by drawing back the string till the mouth of the hole, at bottom of which the bait is placed, is quite open. The arrow and string are braced back by passing the little stick at the other end of the trap over the bowstring at the place where it is tied round the arrow, and fixing the other end of the little stick lightly against the opposite end of the lower and longer stick to that at which the bait is attached.

SCIENTIFIC TERMS TO BE USED IN BOTANIC-ECONOMIC REPORTS.

Use of scientific terms in reports published under the authority of Government.

Government of India, Revenue and Agricultural Department Resolution No. [illegible], dated 14th March 1892 and G. O. No. [illegible], dated 13th April 1892, to Heads of Departments and Divisional and District Officers.

HER MAJESTY'S Secretary of State, in drawing attention to the great inconvenience due to the occasional employment in botanic-economic reports published under the authority of Government of obsolete scientific names of plants, desired the uniform use in all such official reports in future of the nomenclature established by Sir Joseph Hooker's "Flora of British India" and the official "Dictionary of the Economic Products of India." Considerable inconvenience has also been caused to the Government of India by the use in official reports generally of vernacular and unscientific names in describing or referring to natural and economic products. His Excellency the Governor-General in Council has therefore issued instructions that economic products, whether plants or not, should be described by the scientific name adopted in the official Dictionary, either used alone or written in brackets after any English or vernacular name which may be employed. The nomenclature of economic plants dealt with in the Dictionary of Economic Products is practically based on the "Flora of British India," to which no further reference need be made in such cases. In the case [illegible], and not, therefore, included [illegible]ra itself should be consulted, [illegible]iculty is experienced in identification, reference may be made to the Agricultural Department or the botanical authority of the province.

Copies of the Dictionary of the Economic Products of India have been supplied to every district library, and it is hoped that the possession of this work of reference will encourage district officials and those engaged in the compilation of reports in the employment of correct scientific nomenclature.

STATE LANDS.

Alienations of State Lands.
Government of India's No. 144, dated 6th February 1872.

Lands to be disposed of will necessarily divide themselves into two classes :—

First—Those which are the property of the State.

Second—Those which, under competent authority, have been constituted the property of a municipality or other local body.

Government of India's No. $\frac{5}{320}$, dated 20th June 1881.

Lands of the first class may be disposed of in various ways :—

First—By sale or exchange for land which is private property at full market value.

Second—By sale on favourable terms to a public body or association or to an individual for a public purpose.

Third—By gift or grant to—

(*a*) a public body or association or to an individual for a public purpose ;

(*b*) private individuals in remuneration for public services to be performed ;

(*c*) by gift, grant or sale to private individuals for their private benefit, without reference to future services.

Government of India's No. $\frac{1}{643}$, dated 31st August 1877.

As regards lands falling into the second of the above classes, which have been under a competent authority constituted the property of a local body, the Government of India will exercise no interference. It will be the duty of Local Governments and Administrations to satisfy themselves that the lands in question have been transferred under proper authority, and this having been ascertained, the sanction of the Local Government or Administration will be sufficient for the disposal of the lands.

As regards lands the property of the State, such of them as are governed by the rules for the grant of waste lands will continue to be dealt with under the rules on this subject in force for the time being.

Government of India's No. $\frac{5}{320}$, dated 20th June 1881.

Government of India's No 243, dated 22nd March 1873.

As regards lands the property of the State (other than waste lands), which are sold for full value or exchanged for land which is private property of equal value, no reference to the Government of India need be made where the full value does not exceed Rs. 10,000. Up to this amount the sanction of the Local Government or Administration will in all cases be sufficient. The amount realized by the sale of the land should invariably be credited to the general revenues, and the sale should be duly noticed in the proceedings of the Local Government or Administration ; but the Local Government may sanction the sale of nazúl lands situated beyond the municipal limits in those provinces, and credit the sale

proceeds to local funds: provided (1) that the authority thus given shall apply only to the sale of those lands the proceeds of which have, under proper sanction, been hitherto credited to local funds; and (2) that all sale proceeds in excess of Rs. 100 shall either be funded or invested in reproductive works.

As regards the sale of lands on favourable terms for a public purpose, in no case should the recipient pay less than half the full market value of the lands granted; and whenever such full value exceeds the sum of Rs. 1,000 the sanction of the Government of India should [illegible] The amount realized by the sale should [illegible] revenues, and the sale should be [illegible] Local Government or Administration.

As regards the gift, grant, or sale of lands, the previous sanction of the Government of India should be obtained in cases where the value of the grant exceeds Rs. 3,000 when given as a site for the construction of Government schools, hospitals, dispensaries, or other public works, at the cost of recognised local funds; where it exceeds Rs. 500, when given for any other public purpose or to a private individual for services to be performed to the State,* or where it exceeds Rs. 100 when the services are to be performed to the community, and in *all* cases of grant to individuals for their private benefit, irrespective of any services to be performed.

* This does not refer to cases in which the Local Governments may have been separately authorized to dispose of lands under special rules sanctioned by the Government of India.

A statement in the following form, showing the alienations of land authorized in each year, must be furnished annually for the information of the Government of India.

Government of India's No. $\frac{2}{55}$, dated 1st August 1870.

1	2	3	4	5	6	7	8	9	10	11
District.	Village, estate or township.	Area in acres.	Estimated yearly rent value.	Estimated market value.	Party or parties in whose favour alienated.	Class of alienation as defined in para. 4 of the resolution	Grounds for alienating	Authority sanctioning alienation.	Number and date of orders.	Remarks. (Here enter all further details necessary for a full elucidation of the case not set forth under any of the preceding headings.)

STATE LANDS.

Alienations of State Lands.
Government of India's No. 114, dated 6th February 1872.

Lands to be disposed of will necessarily divide themselves into two classes :—

First—Those which are the property of the State.

Second—Those which, under competent authority, have been constituted the property of a municipality or other local body.

Government of India's No. $\frac{5}{323}$, dated 20th June 1831.

Lands of the first class may be disposed of in various ways :—

First—By sale or exchange for land which is private property at full market value.

Second—By sale on favourable terms to a public body or association or to an individual for a public purpose.

Third—By gift or grant to—

(a) a public body or association or to an individual for a public purpose ;

(b) private individuals in remuneration for public services to be performed ;

(c) by gift, grant or sale to private individuals for their private benefit, without reference to future services.

Government of India's No. $\frac{1}{648}$, dated 31st August 1877.

As regards lands falling into the second of the above classes, which have been under a competent authority constituted the property of a local body, the Government of India will exercise no interference. It will be the duty of Local Governments and Administrations to satisfy themselves that the lands in question have been transferred under proper authority, and this having been ascertained, the sanction of the Local Government or Administration will be sufficient for the disposal of the lands.

As regards lands the property of the State, such of them as are governed by the rules for the grant of waste lands will continue to be dealt with under the rules on this subject in force for the time being.

Government of India's No. $\frac{5}{[illegible]}$, dated 20th June 1881.

Government of India's No 243, dated 22nd March 1873.

As regards lands the property [illegible] lands), which are sold for full value [illegible] private property of equal value, no [illegible] India need be made where the full value does not exceed Rs. 10,000. Up to this amount the sanction of the Local Government or Administration will in all cases be sufficient. The amount realized by the sale of the land should invariably be credited to the general revenues, and the sale should be duly noticed in the proceedings of the Local Government or Administration ; but the Local Government may sanction the sale of nazúl lands situated beyond the municipal limits in those provinces, and credit the sale

proceeds to local funds; provided (1) that the authority thus given shall apply only to the sale of those lands the proceeds of which have, under proper sanction, been hitherto credited to local funds; and (2) that all sale proceeds in excess of Rs. 100 shall either be funded or invested in reproductive works.

As regards the sale of lands on favourable terms for a public purpose, in no case should the recipient pay less than half the full market value of the lands granted; and whenever such full value exceeds the sum of Rs. 1,000 the sanction of the Government of India should be previously obtained. The amount realized by the sale should in all cases be credited to the general revenues, and the sale should be noticed in the proceedings of the Local Government or Administration.

As regards the gift, grant, or sale of lands, the previous sanction of the Government of India should be obtained in cases where the value of the grant exceeds Rs. 3,000 when given as a site for the construction of Government schools, hospitals, dispensaries, or other public works, at the cost of recognised local funds; where it exceeds Rs. 500, when given for any other public purpose or to a private individual for services to be performed to the State,* or where it exceeds Rs. 100 when the services are to be performed to the community, and in *all* cases of grant to individuals for their private benefit, irrespective of any services to be performed.

Government of India's No $\frac{2}{65}$, dated 1st August 1876.

A statement in the following form, showing the alienations of land authorized in each year, must be furnished annually for the information of the Government of India.

1	2	3	4	5	6	7	8	9	10	11
District.	Village, estate or township.	Area in acres.	Estimated yearly rent value.	Estimated market value.	Party or parties in whose favour alienated	Class of alienation as defined in para. 4 of the resolution	Grounds for alienating.	Authority sanctioning alienation.	Number and date of orders.	Remarks. (Here enter all further details necessary for a full elucidation of the case not set forth under any of the preceding headings.)

* This does not refer to cases in which the Local Governments may have been separately authorized to dispose of lands under special rules sanctioned by the Government of India

Government of India's No. 1, dated 1st February 1879.

[illegible] panied by an abstract in the [illegible] areas and values of the several properties in question [illegible] the classification prescribed.

Classes.	Year.		
	Area and land alienated.	Estimated yearly rent value.	Estimated market value.
By sale at full market value ...			
By sale on favorable terms to a public body or association or to an individual for a public purpose.			
By gift or grant to a public body or association or to an individual for a public purpose.			
By gift or grant to private individuals in remuneration for public services to be performed.			
By gift or grant or sale to private individuals for their private benefit, without reference to future services.			
Total ...			

Government of India's No. $\frac{5}{329}$, dated 20th June 1881.

Where land is transferred without involving the loss of any revenue from one department of Government to another, the revenues of both departments being credited to Imperial funds, it is unnecesesary to enter the transfer in the annual statements.

Government of India's Circular No $\frac{4}{806-15}$, dated 29th September 1873.

The permanent alienation of Government revenue and the grant of waste lands free from the payment of Government revenue for a longer period than 20 years require the previous sanction of the Government of India.

TRIGONOMETRICAL SURVEY STATIONS.

Trigonometrical Survey Stations. Repairs of— Circular No. 25, dated 20th May 1869 (N.-W. P.)

As a rule, the simple measures explained below are sufficient to keep trigonometrical survey stations in a practically efficient state; and the expenditure should not average more than Rs. 4 or 5.

It is only in special cases—as, for instance, when a station is liable to be wholly swept away by a torrent—that a considerable outlay for its protection would be considered justifiable.

Repairs should be limited to the base line and astronomical stations.

The stations consist of two essentially distinct portions—the central pillar, which contains the mark-stones and on which instruments are placed for observations, and the external walls or platform, which are intended to carry the observatory tent and observers. The pillar is usually from three to four feet in diameter, and is invariably built of pucka materials, and intended to last as long as possible; but the external walls, or platform, are usually constructed of the cheapest materials procurable, for the sake of economy.

The cheaper structures are, of course, liable to give way during the rainy season, but the mass of *débris* acts as a natural protection to the central pillar and effectually conceals the ground-level markstone from view, which is no small advantage.

The mischief is, that, when an accident of this nature happens, people are liable to fancy that the station is destroyed; and instances have been brought to notice in which, under this supposition not only the *débris* of the fallen platform, but the pillar itself, which is usually unaffected by the fall of the platform, have been broken up and carried away for building. But so long as the mark-stone in the centre of the basement of the pillar remains undisturbed, the utility of the station as a point of reference for surveying purposes remains unimpaired. Hence it is important that a station, even when apparently in ruins, should be cared for and protected from wilful injury.

But though it is not necessary to repair the stones, it is very desirable to take a few simple and inexpensive steps for the protection of the pillars and existing platforms from the weather and the markstones from mischief. Cracks through which water may percolate into the centre of the station should be stopped up with earth and mud; open passages leading to the markstones should be closed with stones or kutcha masonry; and pyramidal piles of earth and stones, with a diameter of about six feet at base and rising to a height of from four to five feet, should be built over the mark-stones of the stations which are placed on hills and mounds where it has not been necessary to erect towers. The necessary precau-

tions should be taken to conduct all rainfall away from the stations; these measures may easily be carried out by the police or the village Chaukidárs, under the order of the District Officers. They will probably not cost more, on an average, than Rs. 4 for each station, and will be paid for as the bills are received.

Paras. 711, 712, Oudh Digests. Circular No. 74 of 1867 (Oudh only).

Injury to the markstones should be reported to the Superintendent, Trigonometrical Survey, to whom an annual report on the state of the trigonometrical stations should also be submitted.

No. II.

Appointment Department.

G. I. H. D. No. 875, dated 20th July 1893.

Date of commencement of substantive service.

Substantive service under the new rules commences from the date on which an officer is confirmed in his appointment.

G. I. H. D. No. 1535, dated 23rd December 1893.

Rules which should regulate the grant of furlough.

The grant of furlough to Cantonment Magistrates holding office under the new rules will, during the first five years of the period of their substantive service, be regulated by military rules, as in the case of Cantonment Magistrates under the five years' rule. After the expiry of five years, they will become subject to the civil leave rules. Officers appointed to the Judge-Advocate General's Department under the new rules will again become subject to military furlough rules.

Officers will be allowed to serve up to the age of 55 years.

G. I. H. D. No. 824, dated 27th July 1894.

Age up to which an officer will be allowed to serve, and his title to Colonel's allowances.

Those who were appointed to the Civil Department on or after the 1st November 1887, and have been removed from the effective list of the Army under Article 280, Army Regulations, India, Volume I, Part I, will, in accordance with Article 1353 of the same Regulations, be required to retire from the service on being superannuated under the civil rules.

Officers appointed to the Civil Department between 1st April 1884 and the 1st November 1887, and removed from the effective list of the Army under article 280, Army Regulations, India, Volume I, Part I, will, on superannuation from civil employ, be allowed the option of electing to remain in the service under the terms of that article.

All other officers will come under article 346, Army Regulations, India, Volume I, Part I.

Date from which the new scale of pay is to have effect.

The new rules of pay apply to the following officers from the date of their election. Cantonment Magistrates under the five years' rules, who elected the new rules, will, for the purposes of the allowances under these rules, count their past service from the date on which they were confirmed as Cantonment Magistrates:—

Major A. W. D. Campbell.
" W. S. Hewett.
" H. H. Ozzard.
" W. F. C. C. Plowden.
" H. B. Thornhill.

Captain J. P. W. Spankie.
" F. J. B. Campbell.
" W. C. C. Leslie.
" L. H. Reid.

Cantonment Magistrates. Examinations to be passed by—
Government of India, Home Department, Resolution No. $\frac{7}{1095-1106}$, dated 10th August 1889.

EXISTING orders require that a military officer seeking employment as a Cantonment Magistrate should be a member of the Staff Corps, and before appointment to the Staff Corps he must have qualified by the higher standard in the vernacular. Candidates for appointment as Cantonment Magistrates are required to pass a preliminary test examination, and after appointment the prescribed examination by the higher standard (*vide* Department VII, Judl. Civil). A Cantonment Magistrate who fails to pass the latter examination within 18 months after joining his appointment is liable to forfeiture of the appointment and remand to military duty.

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[illegible]

Government of India, Home Department Resolution No. $\frac{15}{1265-77}$ dated 23rd November 1891.

THE Governor-General in Council is pleased to lay down the following rules regarding the examinations to be passed by candidates for appointment to the Department and by Cantonment Magistrates:—

I.—The Preliminary Examination which was prescribed in Home Department Resolution No. $\frac{7\text{-Judicial}}{1095-1106}$, dated the 10th August 1889, will be retained This examination is the same in all Provinces, and is equivalent in difficulty to the corresponding portion of the Indian Lower Standard for junior members of the Indian Civil Service; it consists of the following subjects only:—

The Indian Penal Code ...
The Code of Criminal Procedure ...
The Indian Evidence Act
The [illegible]
The [illegible]
of [illegible]
first Schedule of Act X of 1888 ... } with books.
The Police Act ...
The Cantonments Act and Rules ... without books.

It will be held as hitherto under the orders of the different Local Governments. It must be passed in the province in which the candidate is serving either temporarily as a Cantonment Magistrate or with troops at the time of the examination.

II.—An officer who has not passed the Preliminary Examination will not be appointed to act as a Cantonment Magistrate for a period of more than three months unless in exceptional circumstances.

III.—The Preliminary Examination is hereby declared to be equivalent to the Departmental Lower Standard Examination. A candidate for the Cantonment Magistrates' Department who passes the Preliminary Examination previous to appointment will not be required to pass the Lower Standard Examination; he will on appointment be treated for purposes of pay as having passed that standard. Any officer who may be appointed to act as a Cantonment Magistrate without having passed the Preliminary Examination will be required to pass the Lower Standard Examination.

IV.—In Home Department Resolution No. $\frac{\text{7-Judicial}}{\text{1095—1106}}$, dated the 10th August 1889, it was left to Local Governments to decide upon the character of the Higher Standard Examination to be passed by Cantonment Magistrates subsequent to appointment. This arrange- [illegible] condition that in [illegible], in qualifying for [illegible] ie Higher Standard [illegible] which he is serving, he must pass by the Higher Standard, or by such other test as may have been specially sanctioned by the Government of India, in the vernacular of the Province. A Cantonment Magistrate who has passed the language examination in one province, will, on transfer to another province, be required to pass in the language* of the province to which he is transferred. Should a Cantonment Magistrate fail to pass within 18 months of his transfer, he will be entitled to no increase of salary until he does pass.

Military Officers. Temporary services of—how to be obtained.
Home Department No. 1070, dated 5th August 1891.

Paragraph 276 of Army Regulations, India, Vol. II, directs when Local Governments require the services of a Military Officer to fill a temporary civil vacancy such as that of Cantonment Magis-

* In provinces in which there are two or more languages, the Local Government will determine in which language the officer transferred must pass.

trate, for any period not exceeding *three months*, they may apply to the General Officer Commanding the district in which the officer is serving, who, before giving the officer's services, will refer to Army Headquarters for approval. In emergent cases, however, General Officers Commanding are empowered to place an officer's services at the disposal of a Local Government without previous reference to Army Headquarters; a report being made to the Adjutant-General of the name of the officer thus placed at the disposal of the Local Government.

Appointment of Europeans, &c.
Home Department No. 22-747, dated 18th April 1879.
Art. 773 (*a*), chap. 35, Vol. II, C.A. Code.

No person, other than a native of India,* shall be appointed to an office † carrying a salary of Rs. 200 a month, or upwards, without the previous sanction of the Governor-General in Council in each case, unless the proposed appointment falls under one or other of the following conditions, namely :—

(*a*) that the person to be appointed belongs to the Covenanted Civil Service or to the Staff Corps.

(*b*) that the person to be appointed was originally nominated to the—

(1) Financial Department by the Governor-General after examination ;

(2) Forest Department by the Secretary of State, or by the Governor-General, after examination ; or

(3) Educational Department by the Secretary of State :

(*c*) that the person to be appointed entered the branch of the Department in which he is now to be promoted before the 1st January 1879.

(*d*) that the office to which appointment is to be made belongs to—

(1) the Opium Department,

(2) the Salt or Customs Department,

(3) the Survey Department,

(4) the Mint Department,

(5) the Public Works Department, or

(6) the Police Department.

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* The words "native of India" include any person born and domiciled within the dominions of Her Majesty in India of parents habitually resident in India, and not established there for temporary purposes only; provided that "persons born and domiciled," &c., within the territories of Indian Princes tributary to, or in alliance with, Her Majesty, shall also be considered to be "natives of India" (33 Vic., Cap. 3, sec. 6)

(†) Includes a ministerial office (G. I., H. D., No. 1337, dated 22nd September 18[illegible].

No person, other than a member of the Covenanted Civil Service, shall be appointed for the first time to any office which is usually reserved for the members of that service without the previous sanction of the Governor-General in Council.

When sanction is sought to a proposed appointment under either of the two foregoing paragraphs, the application for such sanction should show—

(*a*) the education and past history of the person whom it is proposed to appoint; and

(*b*) the reason why a native of India (or in the case of appointments under paragraph 4, a member of the Covenanted Civil Service) cannot conveniently be appointed to the vacant office.

Though the six departments named under clause (d) above are excluded from the operation of the present orders, the Governor-General in Council does not wish that offices in these departments shoul[illegible] may [illegible] peans; and hopes that it to th[illegible] lia more and more freely [illegible] appointments.

G. I., H. D., No. 15, dated 25th January 1895.

Local Governments may make temporary appointments of Europeans on an emergency without obtaining the previous sanction of the Governor-General in Council, but the discretion as to confirming an order making such a temporary appointment is vested in the Governor-General in Council, and any temporary appointment made on the ground of emergency should be reported for his confirmation immediately on its being made.

G. I., H. D., No. $\frac{4}{143-54}$, dated 20th May 1884.

Under standing rule the appointment of persons not being natives of India to the superior graded service of the Educational Department rests with Her Majesty's Secretary of State for India.

Service in India. Engagement of individuals in the United Kingdom for—

Home Department Circular No. 33-1834 74, dated 5th November 1875

Ditto No. ½ Education, dated 11th January 1892.

In all cases in which it is desired to engage individuals in the United Kingdom for service in India the nomination must rest with the Secretary of State. In any case, however, where there are special reasons why a particular person, who is in England, should be selected by him for appointment, the proper course is for the Governor-General in Council or the G[illegible]rnor in Council interested [illegible] officially of the circum[illegible]es in India communicate [illegible] the event of a Local [illegible] a particular candidate [illegible] of State, the matter should be

represented demi-officially to the Government of India, in order that they may communicate in the same way with the Secretary of State.

Medical officers. Appointment of—in civil employ.
Home Department Resolution No 1-26 42, dated 17th January 1883.

No Medical Officer who entered the service before 1864 or after the 1st April 1867, is allowed to obtain civil employment, either temporary or permanent, until he has passed in Hindustani by the Lower Standard.

Assistant Surgeons. Rules as to promotion, leave, &c., of—
India's No. $\frac{11}{418-28}$, dated 31st August 1881.

ASSISTANT SURGEONS belonging to the Provincial list are under the orders of the Local Government in respect to all matters, excepting resignations and dismissals, recommendations regarding which should be submitted by the Local Government to the Home Department for the orders of the Government of India.

Assistant Surgeons on the Imperial or Supernumerary list (*i.e.*, those who have not been provincialised) are in all matters, except those connected with their temporary employment under a Local Government, under the orders of the Government of India; and all questions regarding them, with the above exception, should be referred by the local Inspector-General of Civil Hospitals to the Surgeon-General with the Government of India.

Assistant Surgeons. Resignation or transfer of—to other provinces.
Government of India No. 275, dated 24th May, 1881.

IN the event of the resignation of an Assistant Surgeon being accepted, the fact will be notified by the Surgeon-General with the Government of India in Part II of the *Gazette of India*.

Transfers of Assistant Surgeons to other provinces should not be made without the sanction of the Government of India.

Assistant Surgeons. Septennial examinations of—
India's No. $\frac{7}{11-4}$, dated 23rd January 1884.

THE Bengal Medical Regulations, 1851, Chapter XL, paragraphs 6-11, ruled that Assistant Surgeons were to be professionally examined on the completion of septennial periods of service, to test their fitness for advancement to the higher grades. This system of compulsory examination has, however, been allowed
[illegible] overnor-General in Council is now
[illegible] n of compulsory examination at the
[illegible] brought into operation. Assistant
[illegible] to serve full seven years in each
[illegible] xt higher grade.

Government of India, Home Department, No. $\frac{1 \text{ Med}}{111-4}$, dated 3rd April 1884.

In order to prevent undue delay in promotion in individual cases, an Assistant Surgeon may be permitted to appear at the examination held within the half-year immediately preceding the completion of his septennial period, if the Local Government, on

consideration of the facts of the case, is of opinion that this concession should be specially granted. The general rule will, however, be that the expiry of the seven years should be awaited.

Assistant Surgeons. Pay of—placed on the supernumerary list and punished for misconduct.
Government of India, Home Department, No. $\frac{21}{591}$, dated 24th December 1881.

THE following scale of "reduced pay" has been introduced by Her Majesty's Secretary of State for India for all grades of Assistant Surgeons placed on the supernumerary list. The scale is also applicable as a penalty to any Assistant Surgeons who may be guilty of misconduct deserving of such punishment:—

Third grade	...	...	...	...	Rs. 50
Second „	...	...	...	...	„ 100
First „	...	...	...	...	„ 150

G. Os Nos. $\frac{293}{V-41}$ and $\frac{208M}{V-41}$, dated 5th October 1885, and 4th August 1887, respectively.

With reference to the foregoing orders, the following rules are laid down for the North-Western Provinces and Oudh:—

(1) An Assistant Surgeon, whether his name be on the reserve list or not, should receive the full pay of his grade when he is in sole medical charge of a hospital, or is in transit from the sole medical charge of one hospital to the sole medical charge of another.

(2) An Assistant Surgeon, whose name is on the reserve list and is simply doing duty at a hospital waiting for employment, should receive the reduced scale of pay sanctioned by the Secretary of State for India.

Provincial Civil Service. Rules regulating admission to the—.
Notification No. $\frac{1004}{II-[illegible]}$, dated the 4th July 1893.

THE following are the rules sanctioned by the Government of India for regulating admissions to the North-Western Provinces and Oudh Provincal Civil Service in the Revenue and Judicial branches.

RULES FOR THE REVENUE BRANCH.

1. The North-Western Provinces and Oudh Provincial Civil Service includes in the Revenue Branch the office of Deputy Collector from the lowest grade upwards. The Subordinate Service in the Revenue branch includes the office of Tahsildár from the highest grade downwards.

2. Admission to the North-Western Provinces and Oudh Provincial Civil Service in the Revenue Branch will be:—

(*a*) by recruitment, *i.e.*, by appointment of persons not already in Government service;

(*b*) by promotion from the Subordinate Service.

3 Candidates may be nominated by the Board of Revenue, but the ultimate selection and appointment in either of the modes specified in the preceding rule will be made by the Local Government, which, in exercising these powers, will endeavour to secure the due representation of the different classes of the community. Not less than two-thirds of the total number of appointments made annually under these rules will, until further orders, be by promotion from the Subordinate Service.

4. Appointments under these rules will ordinarily be made to the lowest grade of Deputy Collector. But in exceptional cases and for special reasons appointments may be made direct, under rule 2 (*a*), to the higher grades with the previous sanction of the Government of India.

5. Europeans not coming within the statutory definition of "Native of India" (33 Vic, 3, section 6) may, if otherwise eligible under these rules, and on sufficient cause existing for their appointment, be admitted to office under these rules, with the previous sanction of the Government of India, in accordance with the Government of India's (Home Department) Notification No $\frac{22}{747}$, dated 18th April 1879.

(*a*) —*Recruitment.*

6. The qualifications which are indispensable in the case of persons appointed to office under these rules who are not already in Government service, are :—

(1) that he is a natural born subject of Her Majesty, or a subject of a Native Prince in alliance with Her Majesty;

(2) that he has resided in the province for at least three years, and has a thorough knowledge of the vernacular,

(3) that he is not under 20 or, ordinarily, over 25 years, on his last birthday (Article 63, Civil Service Regulations);

(4) that he is of sound health, good physique, and active habits;

(5) that he is of good character;

(6) that he possesses a minimum educational qualification equivalent to the Entrance Standard of an Indian University. The minimum educational qualification in the case of a European will be deemed to be the Final Examination [illegible] schools and [illegible] dard he must [illegible] Vernacula[illegible]

7. In making appointments under this sub-division of the rules from among persons nominated, who possess the above essential

qualifications, the Local Government will give the preference to natives of, and persons domiciled in, the North-Western Provinces and Oudh; and will give special preference to :—

(a) members of families of tried loyalty and distinguished service, good social status, and influence in the country;

(b) persons of superior educational attainments, such as graduates of an Indian University.

Notification No. 2433 / II-383, dated 10th July 1895.

8. On first appointment to office under this sub-division of the rules the person selected will be required to serve as a probationary Deputy Collector. For the first six months he will be granted a salary of Rs. 100 per mensem. At the end of that period, should the report of his probation be unsatisfactory, his further service will be discontinued. Should the report be satisfactory, he will be granted a salary of Rs. 150 per mensem. He will be granted a salary of Rs. 200 per mensem when he has passed the Departmental Examination in all subjects by the Lower Standard. Every probationer will be required to pass the Departmental Examination by the Higher Standard within a period of three years from his first appointment, and will not be confirmed as a Deputy Collector till he has passed. Should he fail at the end of the three years to pass the prescribed examination, his name will be removed from the list of Deputy Collectors.

(b).—*Appointment by promotion.*

9. Appointment by promotion to office under this sub-division of the rules will be made as a reward for meritorious service from the Revenue or any other branch of the Subordinate Service of the province.

10. The educational qualification specified in rule 6 will be required in the case of persons promoted from the Subordinate Service, unless the Government for special reasons sees fit to dispense with it. A sufficient knowledge of English for the transaction of Treasury business will be held indispensable, save in the case of Tahsildars, in whose favor the Government reserves to itself the power of relaxing this condition.

11. A person appointed by promotion from the Subordinate Service shall be considered to be on probation until he has fully passed the examination for civil officers by the Higher Standard, and has been satisfactorily reported on. Should he fail to pass the examination within three years, he will be reduced to the Subordinate Service. The Government reserves to itself the power of specially exempting from this examination any person who has held the office of Tahsildar for not less than ten years and has been promoted for meritorious service under Rule 9 to ocffie under these rules: but a person so exempted will not be confirmed in the office to which he has been admitted under the aforesaid rule, until he has been satisfactorily reported on in that office.

(c).—General.

12. In the case of promotion to listed appointments notified as open to the Provincial Service the principle of special selection will be strictly adhered to.

13. Appointments to the grade of Deputy Collector on Rs. 500 a month or more are considered superior grades, and the Local Government reserves to itself the right to promote to these grades without regard to seniority.

14. Promotion to all other grades of the Provincial service will be regulated by seniority qualified by fitness and merit.

15. No member of the Provincial Service shall be dismissed otherwise than on the result of a judicial or formal departmental inquiry.

RULES FOR THE JUDICIAL BRANCH.

I.—General.

Notification No $\frac{4065}{II-592}$, dated 12th December 1894.

1. The North-Western Provinces and Oudh Provincial Civil Service includes in the Judicial Branch the offices of Subordinate Judge, of Judge of a Court of Small Causes (with the two following exceptions), and Munsif. The posts of Judge of the Small Cause Court at Allahabad and at Lucknow are appointments to which members of the North-Western Provinces and Oudh Provincial Civil Service can properly be appointed, subject to the rules for the time being in force under 33 Vic., Cap 3, section 6 · but the appointments are not on the list of appointments allotted to the North-Western Provinces and Oudh Provincial Civil Service, and are not dealt with in these rules. The Subordinate Service, in the Judicial Branch, includes the office of Munsarim from the highest grade downwards and the ministerial officers of the Civil Courts and of the Legal Remembrancer's office

2. Admission to the North-Western Provinces and Oudh Provincial Civil Service in the Judicial Branch will be—

(*a*) by recruitment, *i e*, by appointment of persons [other than Deputy Collectors (*vide* rule 8 (7) in] not already in Government service,

(*b*) by promotion from the Subordinate Service

3. Nominations to the office of Munsif in the North-Western Provinces are made by the High Court of Judicature for the North-Western Provinces, under section 7, Act XII of 1887, and the persons so nominated are appointed by the Local Government. The Local Government will, in communication with the High

Court or the Judicial Commissioner of Oudh, as the case may be, select the persons to be appointed, and appoint Munsifs in Oudh, Judges of Small Cause Courts and Subordinate Judges.

4. In making nominations and appointments the High Court and the Local Government will endeavour to secure the due representation of the different classes of the community, and will give preference, in selecting from among qualified candidates, to the following persons:—

(a) natives of, and persons domiciled in the North-Western Provinces and Oudh;

(b) persons of superior educational attainments, such as graduates of an Indian University;

(c) members of families of tried loyalty and distinguished service, good social status, and influence in the country.

5. First appointments under these rules will be made to the lowest grade of Munsif.

6. The Government of India has retained power in very special cases to sanction direct appointments, to offices in the higher grades, of Barristers, Advocates, Vakíls or Pleaders of the High and Chief Courts (inclusive of the Judicial Commissioner's Court) who have shown distinguished ability in the exercise of their profession for not less than 10 years, and have a thorough knowledge of the vernacular.

II.—Qualifications of persons to be appointed to the office of Munsif.

7. Under section 7 (2), Act XII of 1887, the following rules as to the qualifications of persons to be appointed to the office of Munsif in the North-Western Provinces are made by the Local Government, after consultation with the High Court and with the previous sanction of the Governor-General in Council. The same qualifications are prescribed for candidates for the office of Munsif in Oudh:—

(a).—*Appointment by Recruitment.*

8. The qualifications for appointment by recruitment shall be—

(1) that the candidate is a native of India as defined by 33 Vic., Cap. 3, section 6, or that he is a subject of a Native Prince in alliance with Her Majesty: or if he is a European, other than a Native of India, that the previous sanction of the Government of India has been obtained to his appointment, in accordance with the

Government of India's (Home Department) Notification No. $\frac{22}{747}$, dated 18th April 1879;

(2) that he has recently resided in the North-Western Provinces or Oudh for at least three years;

(3) that he is not under 20 or ordinarily over 30 on his last birthday (Article 63, Civil Service Regulations);

(4) that he is of sound health and good physique;

(5) that he is of good character;

(6) that he has a thorough knowledge of the vernacular, can read and write Hindustani (Urdu) in the Persian character, and can read and write English, and

(7) that he belongs to one of the following classes of persons:—

(i) Advocates, Attorneys or Vakíls on the rolls of, and entitled as such to practise in, the High Court of Judicature for the North-Western Provinces; Advocates or Pleaders on the rolls of, and entitled as such to practise in, the Judicial Commissioner's Court in Oudh:

Provided that they have actually practised their profession for at least three years in India,

(ii) persons who—

(a) have obtained the degree of Bachelor of Laws of the Allahabad University; or

(b) prior to 1st January 1892 have obtained the degree of Bachelor of Laws of the Calcutta University, or

(c) have obtained a certificate of the Examination Board that they have qualified for admission as Vakíls of the High Court of Judicature for the North-Western Provinces, and in the case of Oudh have also passed the Oudh Local Laws Examination;

and have for a period of three years practised as Vakíls or as Pleaders in any Court subordinate to the High Court for the North-Western Provinces, or as Pleaders in any Court subordinate to the Court of the Judicial Commissioner of Oudh;

(iii) persons who have for a period of three years held the office of Deputy Collector, or of District Government Pleader in the North-Western Provinces and Oudh;

Provided that a Deputy Collector shall not be eligible for appointment unless he has been admitted as a Pleader or holds a certificate of the Examination Board that he has qualified for admission either as a Pleader or as a Vakíl of the High Court of Judicature for the North-Western Provinces.

(b).—Appointment by Promotion.

9. Appointment by promotion to the office of Munsif under this sub-division of the rules will be made, as a reward for meritorious service, from the Subordinate Service of the Provinces.

10. The qualifications shall, in addition to the qualifications prescribed in rule 8 [sub-heads (3) and (7) alone excepted], be—

(1) that the candidate has for a period of three years held one of the following offices:—

Tahsíldár;

Deputy Registrar of the Court of the Judicial Commissioner of Oudh.

Translator ... | Reader | Decree-writer } in the High Court of Judicature for the N.-W. P. or in the Court of the Judicial Commissioner of Oudh.

Munsarim of any Civil Court;

Registrar of a Court of Small Causes;

Head Assistant of the Legal Remembrancer's office; and

(2) that he (a) has obtained the degree of Bachelor of Laws of the Allahabad University; or

(b) prior to 1st January 1892 has obtained the degree of Bachelor of Laws of the Calcutta University; or

(c) has been admitted as a Pleader, or holds a certificate of the Examination Board that he has qualified for admission either as a Pleader or as a Vakíl of the High Court of Judicature for the North-Western Provinces.

III.—MISCELLANEOUS.

11. The Examination Board referred to in rules 8 and 10 is the Board for the examination of candidates for admission as

12. On first appointment under Part II(*a*) or (*b*) of these rules to any office in the Judicial Branch of the North-Western Provinces and Oudh Provincial Civil Service, the person appointed as Munsif will be considered to be on probation for one year, unless in special cases the Local Government declare such probation to be unnecessary. At the end of that period, should the report of his probation be unsatisfactory, his further service may be discontinued. Should the report be satisfactory, he will then be confirmed. But in the case of a Munsif in Oudh, he will be required to pass the examination prescribed by the rules for the departmental examination of officers within a period of one year from the date of confirmation, ... oval: provided that the ... be not less than six mon...

13. Save in the case of appointments to higher offices made under the rules framed under 33 Vic., Cap. 3, section 6, promotion from one grade or class of office included in the North-Western Provinces and Oudh Provincial Civil Service to a higher will ordinarily be regulated by seniority, qualified by fitness and merit. Seniority, however, shall give no claim to any appointment on Rs. 500 *per mensem* or more

14. In Oudh Munsifs are required to pass the higher standard examination in Civil Law before being promoted to the office of Subordinate Judge.

15. Subject to the provisions of section 28, Act XII of 1887, ... vinces and Oudh Provincial ... vise than on the result of a

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Natives of India. Appointment of—to posts reserved for the Covenanted Civil Service.

Home Department Notification No. 2153, dated 2nd November 1892.

In exercise of the power conferred by Statute 33, Victoria, Chapter 3, Section 6, and in supersession of the rules published in Notification No. 1534, dated the 22nd August 1879, the Governor-General in Council has been pleased to make the following rules, which have been sanctioned by the Secretary of State in Council with the concurrence of a majority of the members present:—

1. The Local Government may appoint any member of the Provincial Civil Service subordinate to it, who is a Native of India and of proved merit and ability, to any of the offices, places and employments ordinarily held by members of the Civil Service of India, to fill which it has been declared * by such Local Government (by notification in the official *Gazette*) that members of such Provincial Civil Service can properly be appointed: provided that no appointment shall be made to the office of District and Sessions Judge, or chief administrative officer of a district, or to any

* See Notification No. 115, dated 12th January 1893, published on page 16 *North-Western Provinces and Oudh Gazette* of 14th January 1893, Part I.

administrative office of higher rank, if the vacancy to be filled is permanent, or for a period of more than three months, without the sanction of the Governor-General of India in Council.

2. The Local Government may, with the previous sanction of the Governor-General in Council (but not otherwise), at any time appoint any Native of India of proved merit and ability to any of the offices, places and employments specified by such Local Government in any such notification as in Rule 1 is mentioned: provided that not more than one-fourth of the offices, places and employments so specified shall at any one time be held by Natives of India not members of the Provincial Civil Service subordinate to that Local Government; but this proviso shall not apply to or include any Native of India (not a member of a Provincial Service) who has prior to the making of these rules, been appointed under Statute 33 Vict, Cap. 3, Section 6, to an office, place or employment in the Civil Service of India.

3 The Local Government may (with the previous sanction of the Governor-General in Council, in any case in which such sanction is required for a permanent appointment) declare any appointment to be made on probation only, and may prescribe the terms on which it is made and the conditions with which the person appointed must comply before he can be confirmed.

4. The Local Government may at any time suspend and, with the previous sanction of the Governor-General in Council, remove any person appointed by such Local Government under these rules.

Appointments. Distinction between gazetted and non-gazetted. Home Department Resolution $\frac{\text{No 35 Pub}}{1701-1718}$, dated 8th November 1893.

No general principle has hitherto been prescribed to regulate the distinction between gazetted and non-gazetted apppointments, but the term "gazetted officer" is generally held to apply to an officer whose appointment is gazetted by Government and not by the Head of a Department.

It has been decided by the Governor-General in Council that the broad line of demarcation between gazetted and non-gazetted officers should be that which separates the Provincial from the Subordinate S[illegible]
Service (in[illegible]
Provinces, [illegible]
should be held to be gazetted officers within the meaning of the Civil Service Regulations; while members of the Subordinate Service should not come within that category, even if their appointments are published in the *Gazette*. It is accordingly directed that as a general rule, and except in very special cases, such as that of Munsifs in the Madras Presidency, who are gazetted by the High Court, all appointments which it is decided to include in the Provincial Service shall be gazetted by the Local Government, and

ng of the Civil Service shall, partments who Local Government. In Provinces where the powers delegated to Heads of Departments elsewhere in respect of the latter class of appointments are exercised by the Head of the Administration himself, appointments of officers in the Subordinate Service shall, if gazetted, be notified in that part of the *Gazette* in which notifications of heads of Departments appear Thus Tahsíldárs would be gazetted in the North-Western Provinces and Oudh by the Board of Revenue and in the Panjab by the Financial Commissioners, while Mamlatdars would be gazetted in Bombay by the Commissioners. On the other hand, in Bengal and the Central Provinces, where the corres- ahsíldárs) self, the Government, will be notified under a separate heading relating to the Subordinate Service, together with appointments made by Heads of Departments.

The case of officers serving in other Departments, such as Medical, Registration, Police or Jails, should be governed by the same rule; that is to say, where Government makes the appointment it should gazette, and only appointments so made should be recognised as gazetted of the Civil Service Regulations tments should gazette appointmer m subject to the orders of the L... which it may think it expedient to lay down.

1. Director General of the Post Office.
2. Commissioner of Northern India, Salt Revenue Department.
3. Surveyor-General of India
4. Director-General of the Geological Survey of India.
5. Inspector-General of Forests.
6. Director-General of Railways.
7. Director-General of Telegraphs
8. Accountant-General, Public Works Department.
9. Surgeon-General with the Government of India.
10. Director-General of Military Works.

It is the practice for the Heads of Imperial Departments named in the margin to issue notifications relating to officers serving under them in Part II of the *Gazette of India.* These orders are not intended to take away these powers; nor do they render officers so gazetted non-gazetted officers.

Uncovenanted Ministerial appointments. Gazetting of—
India's No 2127, dated the 30th November 1877.

Local Governments and Administrations shall not gazette any uncovenanted ministerial officers below the rank of chief of the Secretariat—that is, Assistant Secretary or Assistant to the Secretary, but not Registrar or Departmental Head Assistant.

G. G. O. No. 221, dated 6th February 1878.

The object of this rule is to prevent the gazetting of the ministerial head of an office by whatever name he may be called. For the purposes of this resolution the term Assistant Secretary or Assistant to the Secretary should be understood to refer only to special appointments other than the ministerial head of an office which may be created under either of those names by the authority of the Government of India to meet exceptional cases.

CIVIL LIST.

Compilation of—. General Department Circular No. 33A, dated 3rd December 1875.

The Civil List is compiled in the Government Secretariat, and all enquiries necessary for the purposes of the List are made by that office. They usually issue on the 10th of the last month of the quarter, and heads of departments should despatch their replies in time to reach the Secretariat by the 20th idem. A printed form of requisition is used as shown hereunder. The replies should be sent in an envelope marked with the words *Civil List* on the outside. In preparing them heads of departments should take into consideration, as far as possible, such changes as will probably occur between the date of writing and the end of the quarter.

CIVIL LIST, N.-W. P. AND OUDH.

Government Secretariat, the 18

Requisition No.

Information required.	Reply.
Under-Secy. to Govt., N.-W.P. and Oudh.	*Signature of the officer replying.*

DEPUTY COLLECTORS.

Deputy Collectors. Appointment and recruitment of—. Resolution No. $\frac{1989}{\text{II—654 B.}}$, dated 12th July 1893.

WITH reference to the rules to regulate admission to the North-Western Provinces and Oudh Provincial Civil Service on pages 5 to 8 of this Manual, the Lieutenant-Governor and Chief Commissioner is pleased to issue the following additional instructions regarding the appointment of Deputy Collectors, whether by promotion from the Subordinate Service or by recruitment of persons not already in Government service

2. Rule 3 prescribes that not less than two-thirds of the total number of appointments made annually will, for the present, be by promotion from the Subordinate Service In making appointments under this rule, the Lieutenant-Governor is prepared to receive nominations from the following Heads of Departments :—

The Board of Revenue.

The Inspector-General of Police.

The Director of Public Instruction.

The Chief Engineer, Irrigation Branch.

The Accountant-General.

3. The Lieutenant-Governor does not propose at present to restrict the number of nominations which the Board may make in any year. The Board should, however, bear in mind that the total number of appointments by [illegible] arly average of nine, and of these [illegible] the nomination of the other Heads [illegible] The Board will ordinarily select their nominees from Tahsildárs, but they may include in their list a few Head Clerks of English offices and Treasury Head Clerks whose knowledge of office routine is considered specially to qualify them for service as Treasury Officers.

4. The Lieutenant-Governor will for the present receive one nomination a year from the Inspector-General of Police and from the Director of Public Instruction, and one nomination every second year from the Chief Engineer of the Irrigation Branch of the Public Works Department and from the Accountant-General. In the case of the latter officer, the appointment of his nominee will be subject to the understanding that he will give promotion in his office to a Treasury Clerk selected by him from one of the district treasury offices.

5. Candidates nominated for service as Treasury Officers either by the Board of Revenue or by the Accountant-General will, on nomination, be allowed to appear at the departmental examination in

Vernacular and in Treasury Procedure and Accounts, and will be required to pass by the prescribed standards in those subjects before they are appointed.

6. The qualifications indispensable in the case of candidates who are not already in Government service are enumerated in Rule 6. As an experimental measure, in order to provide an opening for graduates of the Universities, the Lieutenant-Governor is prepared for the present to set apart three probationary Deputy Collectorships (*vide* rule 8) yearly to be filled by selection from graduates nominated by the Principals of Government and aided colleges in accordance with the following rules.

7. The six largest colleges in these provinces will be divided into the two groups—

(*a*)	(*b*)
Muir Central College	Agra College
Queen's College, Benares	Canning College.
Muhammadan Anglo-Oriental College, Aligarh.	Bareilly College.

Every alternate year six nominations will be received from each group, each Principal nominating two candidates. Nominations will be received from group (*a*) in 1894 and from group (*b*) in 1895. In addition to the colleges named above, the Principal of St. John's College, Agra, and of any other college or collegiate school in the provinces educating up to the degree of B.A. may every alternate year nominate one candidate. The candidates must in all cases be graduates of an University, and must have proceeded to their B.A. degree from the college by the Principal of which they are nominated.

8. Printed forms of nomination will be furnished on application to the Principal of each college, which will enable Government to ascertain that the candidate possesses the qualifications required by the rules. Nominations will be submitted by the Principals in January of each year to the Secretary to Government in the Appointment Department, and will be referred to a Committee of Selection consisting of one Member of the Board of Revenue, the Chief Secretary to Government, and the Director of Public Instruction.

[illegible] The no- [illegible] ommittee [illegible] s to the [illegible] ames of [illegible] but it is open to the Principals of their colleges to nominate [illegible] again, provided they are not disqualified by age or other cause. It shall be open to the Committee to refuse to select any of the nominees if they consider them all to be unsuitable candidates.

Deputy Collectors. Procedure for administering the staff of— No. $\frac{1762}{II-658B}$, dated 19th May 1894.

The following instructions explain the mode in which the Government desires to deal with the appointment, posting, transfer, leave, promotion and retirement of Deputy Collectors.

The sanctioned staff of permanent Deputy Collectors is 140. Assuming that there will be at the least 12 vacancies each year, these permanent posts will be filled as follows :—

Three posts will be reserved for Probationary Deputy Collectors who have passed the departmental examination.

Three posts a year will be reserved for nominees of Heads of Departments, other than the Board of Revenue, who have completed their probation and passed the departmental examination.

In both these cases Government will ordinarily, before confirming a Probationary Deputy Collector, consult the Commissioner of the Division in which the probationer has been employed.

The remaining six posts or more will be filled on the nomination of the Board of Rev
Board will select from
porary Deputy Collectors those whom they cons-
entitled to promotion to the permanent grade.

The Board will each year in February, and oftener if necessary, prepare by divisions a list of Tahsíldárs, Head Clerks and other Revenue officials, whom they consider fitted to act as Deputy Col-
o each Commissioner, and
er to act as Deputy Col-
nless his name appears in
of the knowlege of Eng-
ad Clerks whom the Board
consider likely to become efficient Treasury Officers are permitted to present themselves at the departmental examinations in order to qualify in treasury and accounts, and their names should not be included in the Board's list until they, by passing the examination, are fitted to hold charge of a treasury.

Department of the Secretariat will, in correspondence with Commis-
nd staff of

increase of the sanctioned scale. But it must be remembered that there is no reserve of Deputy Collectors. The reserve of the Provincial Service consists of those Revenue officials who have been

approved by the Board as candidates for acting appointments. The Board will, as heretofore, apply for the conferment of second class magisterial powers on Tahsildars admitted to their list, and these officers will ordinarily receive first class powers soon after their appointment to act as Deputy Collectors, but it may not be prac-

of their division as a whole and, if necessary, to suggest arrangements for the distribution of the divisional staff.

ple of treating the divisional staff
issioners to recommend transfers of
their own divisions or outside them.
Commissioners can conveniently consider during their cold weather tours whether for reasons of health, long residence in one district, or other cause, the transfer of an officer to another part of the province is desirable. Exchanges will then be arranged. Transfers may also be proposed in October and in urgent cases at any time. In making recommendations, Commissioners will consider the home of the officer and the districts in which he has previously served, so that he may be posted to a division in which he will be most useful. Frequent transfers should be avoided: it is

to take the necessary action.

Covenanted Officers are directed to send demi-official intimation to the Secretariat of their intention to apply for leave during the
ty Col-
cers on
om the
ch the
Com-
icer to
officiate in the vacancy. In the case of a vacancy exceeding three months, Government will make the appointment on the application of, and in consultation with, Commissioners

Promotion to all grades, except to the fourth grade on Rs. 500 and higher grades, is given according to seniority, unless there is

All applications for exemption of Tahsíldárs officiating as Deputy Collectors from the departmental examination must be made to the Board through the Collectors and Commissioners.

Deputy Collectors are forbidden to address Government direct on the subject of their leave, transfer or promotion. Communications on these matters must be addressed through the Collectors concerned to the Commissioners of Divisions, who will submit them to Government.

The selection of Deputy Collectors or Tahsildárs for settlement work or special duty connected with the land revenue will, as heretofore, remain in the hands of the Board.

LEAVE AND TRANSFERS.

APPLICATIONS for leave should be submitted by officers in letters, post paid, through the Accountant-General.

Applications for—to be post paid.
G O No. 451, dated 26th July 1869 Circular No. 12, dated 30th March 1853 (Judicial).

Under article 890 of the Civil Service Regulations, 2nd edition, an application for privilege leave should not be made more than six weeks before the leave is wanted. Covenanted officers who purpose to ask for privilege leave in the hot season or the rains, should apprise the Chief Secretary to Government demi-officially of their intention by the 1st April of each year, and should submit their official applications at least one month before the leave is wanted.

Application for privilege—
Circular No 104, dated 26th May 1870.

The Government of India has ruled that as frequent changes in

a Magistrate-Collector should, as a rule, be kept in the same district for not less than five years; that, except in special circumstances, an officer on return from furlough should ordinarily be posted to

ted to his rank and
on his return from
allowed to weigh is
the question of how his services can best be utilised with the least possible disturbance of existing arrangements; and that more power should be given to Local Governments to regulate the times of the
leave with
hat officers
, mutually
hen upon
any officer
the Local
Government

Civil Servants. Grant of furlough to—
Resolution No 611, dated 20th February 1853, and Home Department Resolution, No $\frac{33}{1313\ 51}$, dated 7th September 1852.

l upon by this Govern-
furlough will, as far as
must not in all cases
to the precise dates that
Government necessarily
reserves the power to require, within reasonable limits, an applicant for furlough to take more or less leave than he applies for.

Medical officers applying for furlough should use printed copies of Bengal *form No.* 412, which is supplied gratis from the Central Press, Calcutta.

Medical officers. Applications for furlough by—
[illegible]

Transferred Officer when to make over charge.
Circular No. 25A, dated 26th September 1876.
Notification No 51A, dated 26th January 1877.

When an officer is transferred, he must make over charge of his office within seven days from the date on which the order of transfer reaches him. If in any case it should be necessary for the transferred officer to await the arrival of the officer by whom he is to be relieved, special instructions will be issued.

Rejoining before expiry of privilege leave.
Circular No 3010-II, 309-12, dated 12th July 1887.

Officers who have taken privilege leave must not rejoin before it expires without first obtaining the sanction of the authority granting the leave, except for special reasons, which should be immediately reported. The cancellation of any unexpired portion of a gazetted officer's leave will not be notified in the Gazette.

Report of making over or receiving charge.
Circular No $\frac{2278}{II-498-1}$, dated 25th June 1885

Gazetted officers should report direct to the Secretariat the date of receiving or making over charge of any office, whether on the occasion of taking leave or furlough or transfer, in the following form, printed copies of which can be obtained at the Government Press:—

Form of charge certificate.

CERTIFIED that the office of________________________
was transferred under the orders of His Honor the Lieutenant-Governor, North Western Provinces and Oudh, No ________dated______________
as herein denoted, on the_____________noon of______________

Relieved Officer.

Relieving Officer.

*The*____________________189 .

N B—A copy of this certificate (unaccompanied by any covering docket or letter) to be forwarded on day of transfer to—

The Accountant-General, North-Western Provinces and Oudh.

The Under Secretary to Government, North-Western Provinces and Oudh in the Appointment Department.

The Commissioner or Head of Department.

The report should invariably be sent direct to the headquarters of the Government for the time being.

All offic
Native offi
in English
in Vernacular.

The following instructions regulate the grant of casual leave:—

Casual leave Rules for the grant of—
Notification No $\frac{2811}{II-469A}$, dated 21st September 1893.

1. Casual leave is not recognized by the Civil Service Regulations, and an officer absent on c
from duty. Government will
place of officers absent on such le
for any inconvenience which may occur owing to such absence. The officer granting the leave and the officer taking it will be held responsible if the public service suffers in any way from the absence of the officer on casual leave.

2. Casual leave may not be combined with any other kind of leave, and may under no circumstances authorize absence from duty for more than ten days at a time, including holidays.

for adequate reasons. icers who have urgent lange should be allowed to leave their stations. But the concession must not be converted into an unauthorized system of privilege leave. The Lieutenant-Governor trusts Commissioners and Government officers of all grades not to allow the privilege to be abused.

4. The undermentioned officers are authorized to grant casual leave to the gazetted officers named in the following list When Commissioners grant leave to District Officers a report in the annexed form, copies of which can be had at the Government Press, should be sent to the Chief Secretary to Government at the time when the leave is granted. In other cases a report is not required :—

Sanctioning authority.	*Subordinate Officers.*
The Chief Justice of the High Court of Judicature, Allahabad, or the Senior Judge on duty.	District and Sessions Judges in the North-Western Provinces.
Judicial Commissioners, Oudh ...	District and Sessions Judges in Oudh.
District Judges .	Subordinate Judges and Munsifs.
Commissioners of Divisions ...	Magistrates and Collectors, Joint and Assistant Magistrates
Inspector-General of Police ..	Gazetted Officers of the Department.
Ditto Civil Hospitals .	Civil Surgeons
Ditto Prisons	Superintendents of Central Jails.
Sanitary Commissioner ..	Deputy Sanitary Commissioners
Conservators of Forests ...	Deputy and Assistant Conservators
Director of Public Instruction .	Gazetted Officers of the Educational Department
Director of Land Records ..	Assistants to the Director and Veterinary Officers.
Magistrate and Collector ...	Officers of the Provincial Civil Service and of the Subordinate Civil Service serving in their districts
Chief Engineers .	Superintending Engineers
Superintending Engineers ..	Executive and Assistant Engineers

5. Ministerial officers may be granted leave by the head of their office.

6. Before a Civil Surgeon or a Superintendent of a Central Prison avails himself of casual leave, he should report to the Commissioner of the Division through the Magistrate of the district the period of such leave and the date of his departure He should also report the date of his return to duty.

7. District and Assistant Superintendents of Police should forward requests for casual leave through the Magistrate of the district. Should the Magistrate record an objection to the grant of the leave, the leave applied for cannot be granted. If the leave is granted it will still be necessary that the Police Officer should take



No. III.

General Administration

DEPARTMENT.

No. III.—GENERAL ADMINISTRATION DEPT.

ADDRESSES AND TESTIMONIALS.

Rules regarding—Home Department No. 29/1629 45, dated 22nd July 1887.

The Governor-General in Council desires to invite renewed attention to the subject, and to impress on all concerned the duty of exact obedience to these regulations.

The rules do not apply to receipt of addresses by the Head of any Government or Administration.

RULES.

SAVE as in these rules otherwise provided, all servants of Government, covenanted or uncovenanted, are forbidden to receive complimentary or valedictory addresses in any form; or to accept testimonials of any kind; or to attend public meetings or complimentary entertainments of a formal and public character held in their honor.

2. The Government views with disfavour all similar manifestations in the case of retired officers, when following immediately upon their retirement from active service, and designed as an acknowledgment of acts done by them while in the service of Government.

tainment supported by his personal friends, even though some of these may be his official subordinates. But it is expected that the proceedings on such occasions will be substantially of a private and informal character.

4. Local Governments and Administrations are authorised to forward to an officer who has left a station or district the resolution of any local public body recording a vote of thanks to him for help and advice afforded during his official connection with the station or district.

5. Medical officers are not prohibited from receiving pecuniary recognition of their services from a community or body of persons which may desire to acknowledge these, but the previous sanction of the Local Government or Administration must be obtained by medical officers before receiving any public complimentary address

6. Nothing in the above rules is meant to prohibit compliance with the request of a public body that a Government officer should sit for his portrait, bust, or statue in recognition of his public services: provided that the portrait, bust, or statue is not intended for presentation to the officer concerned.

7. The participation of Government officers in the raising of funds for the foundation of scholarships, or for procuring a portrait, bust, or statue as a spontaneous recognition of the services of a Government officer is not forbidden; but it should be clearly understood that any solicitation on the part of officers of Government for subscription from any person who does not voluntarily come forward to contribute is disapproved by the Government of India.

8. The previous sanction of the Government of India must be obtained to the relaxation of these rules in any special case in which the Local Government or Administration may think this desirable.

ADMINISTRATION.

Public Works Department.

Copies of all orders passed on the remarks recorded by Commissioners and Collectors on progress reports will invariably be sent to these officers for information.

Resolution No. 1676A, dated 26th September 1876.

In considering the claims of Executive and District Engineers to promotion, His Honor desires that promotion-rolls be first sent to Commissioners, who should record on them their opinion of the administrative (as distinguished from the professional) qualifications of the officers concerned.

When projects, the outlay on which is debitable to local funds (municipal or otherwise) are submitted to Superintending Engineers for professional approval, no alterations or modifications involving any increase of expenditure beyond the amount proposed to be allotted should be allowed by them without the express consent of the committee (or other local authority) concerned

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Miscellaneous.

To the Magistrate and Collector of a district will in future be delegated full authority as to appointment, promotion, suspension and dismissal, in regard to all subordinate employés whose salary does not exceed Rs. 30 per mensem. Orders of appointment and promotion will be subject to veto on special grounds by the Commissioner; suspensions and dismissals will be made subject to appeal to Commissioner, except where (as in the case of kanúngos) the express sanction of higher authority is required. In all cases of over Rs. 30 per mensem, the sanction of the Commissioner is essential.

Extended to Oudh by Circular, No 514, dated 10th September 1877.

The Commissioner of Excise will be authorized in his own department to sanction the appointment, promotion, suspension and dismissal of ungazetted excise subordinates drawing more than Rs. 30 per mensem, and to exercise in regard to all others a power of veto; an appeal lying from his orders to the Board of Revenue.

ARCHÆOLOGY.

Antiquarian remains. Instructions for preservation of—in India. No 924, dated 21st April 1879.

The subject naturally divides itself into two branches—

I—the protection of buildings which are still standing, or the ruins of which are above ground and visible ;

II—the preservation of antiquarian remains now buried in the ground, which are discovered in the course of excavation.

In regard to objects of the first class, the duty of district officers is clear ; but to prevent any misapprehension, the following instructions are issued for their guidance :—

(a) District officers should at once assure themselves that the list of old structures of interest is complete, and that every object is entered in them, which, as a specimen of ancient work, it is desirable to protect.

(b) Definite arrangements should be made for the protection of each work entered in the list.

(c) In some cases, there are special guardians interested in the protection of the buildings to whose care they may be left. But where there are none, the district officer should endeavour to enlist the services of the principal proprietor or proprietors of the land on which the building or the ruins stand ; should impress on them the importance attached by the Government to their preservation, and ende[illegible]
tion [illegible]
they [illegible]
occu[illegible]

(d) There may be special cases in which these measures will not be adequate to prevent m[illegible]
of the building may justify s[illegible]
ernment for due protection. [illegible]
submit his recommendation, through the Commissioner, for the orders of Government.

(e) The more important buildings should be inspected and reported on annually by an officer of the Public Works Department, in order that, if necessary, suitable measures may be taken to prevent their falling into a ruinous condition.

In regard to remains of the second class, other arrangements must be made. Valuable remains of old buildings or objects of art, which are buried in the ground, may properly be held to come within the scope of the definition of treasure, under Act VI of 1878 ; and when they are discovered, they ought to be dealt with under the provisions of that Act, as far as they are applicable. It

is impossible to catalogue all the places in which excavation is likely to lead to the discovery of interesting remains; but there are certain well-known places in many districts, the sites of old ruined cities and buildings, which have this character. A list of such sites should be prepared, and unauthorized excavation should be prohibited and steps taken to prevent it. The proprietors of the soil and the chaukidárs of neighbouring villages should be informed of the prohibition, and required to give information of any attempts to disregard it. It should be made generally known to the police, the revenue officials, and the people generally, that Government considers it of importance that old works of art, sculptures, inscriptions, &c., discovered in excavating the soil, should be reported and preserved, until at least they have been examined by competent persons; and further that, if they are found to be of value, a small reward or some mark of the favour of Government will be bestowed on the finder or the informer.

When contracts are given for making excavations for large public works, special care should be taken to remind contractors of their responsibility for reporting the discovery of any such remains and preserving them from injury.

ARMY.

Complaint against—
Notification No 3484, dated 27th September 1851.

. . . . com- . . should . ; Officer commanding a division towards which the party complained against is moving. He should at the same time furnish the Commissioner of the division with a copy of his representation.

Rules for the supply of carriage to—
Resolution, Military Department, No 848, dated 31st October 1865.
N.-W. P Resolution No. 422A, dated 22nd June 1866.

THE following rules are to be strictly observed whenever carriage is supplied to regiments on the march by the civil local authorities:—

I.—When a regiment or detachment is about to march, not less than 15 days' notice is to be given to the district officer, with a full detail of the quantity of carriage required. Carriage is not to be supplied by the district officer except on a regular indent countersigned by the commanding officer.

II.—The indent for the carriage required for that portion of the men's baggage for the conveyance of which Government is responsible must be invariably distinct from the indent for the carriage required for the rest of the men's baggage and for that of the officers. Each indent must state distinctly whether the charges for the carriage indented for will be paid by the State or by the troops themselves, so that there may be no question as to the quarter from which payment is to be claimed The indenting officer is . the indent for carriage, . e State, any carriage not

[illegible]

III.—The district officer shall make arrangements for the supply of carriage with chaudhris or contractors, who shall be responsible for its proper quality and for the good conduct of the parties in charge of it. The chaudhris shall make their own arrangements in regard to fees, which shall, however, in no case exceed one anna per rupee, and shall not be claimable from the hirer, and they shall not be allowed to use badges or other signs of office or to seize carriage: they should be as much as possible the representative men of the classes who nominate them; interference in their nomination or deposition should be avoided as much as possible. . e for . lists . ames of the carters, of camel-driver . may be put upon each cart or . return such lists to the distri . charge, &c., and shall report . him by the district officer without a detailed list.

N.-W. P. Resolution No. 873A, of 12th December 1866.

IV.—The district officer shall also arrange for the relief of the carriage at suitable distances where carriage is obtainable, and shall furnish to the officer through whom the relief is to be procured a copy of the indent received from the commanding officer, informing at the same time the Commissioner of the division, whose duty it will be to see that the carriage is duly relieved.

V.—A uniform rate of 7 annas a day for each bullock employed shall be charged in all divisions except that of Kumaun, to be calculated from the date on which the carriage is taken up to the date of discharge, both inclusive. There will be no charge for return hire, and full hire will be charged for halts.

VI.—The commanding officer of the troops will be responsible that half the hire is paid in advance, and that the balance is made good on arrival at the destination of the troops or when the carriage is relieved. He will also be responsible that the carriage is not overladen; that the animals are not overdriven; and that the parties in charge are properly treated.

VII.—If the commanding officer has reason to be dissatisfied with the way in which the engagement has been executed, he should complain *at once* on arrival at a station to the Collector, who will have the case immediately inquired into in presence of both parties, and his decision shall be enforced.

VIII.—District officers will be responsible to Government that the engagements regarding carriage are fairly adhered to, and that failing this, after they have ascertained the merits of the case, the matter is promptly reported to superior authority They will also rates of hire, with the *to the commanding officer*

IX.—When necessary, the district officer will advance half hire on engaging a carriage, to be recovered from the commanding officer, but beyond making the advance, the district officer is not authorized to make any final payment or adjustments.

X.—A parwana in English, Urdu and Hindi, signed and given to each person in charge by this document shall not be r the use of troops, unless they are marching in the direction of the owner's house

XI.—The subjoined table shows the utmost weight of baggage for which carriage will be furnished on indent, on the responsibility of the civil authorities :—

Rank, &c.		Service equipment, exclusive of camp-equipage.	On occasion of ordinary relief, &c., weight of camp-equipage not supplied by Government, inclusive.
		Maunds.	Maunds.
Colonels	...	40	134
Lieutenant Colonels	Married ...	25	104
Majors and those of equal rank ..	Unmarried ...		76
Captains	Married ..	10	86
Surgeons and those of equal rank .	Unmarried ...		48
Subalterns .. .	Married ...	5	66
Assistant surgeons and veterinary surgeons	Unmarried ...		38
Warrant officers	...	3¼	...
Native commissioned officers ...	...	1½	5
Regimental sergeant-majors and quartermaster-sergeants		2½	18
Havildárs and native doctors ...	...	½	1
Non-commissioned officers and soldiers (European troops),		½	½
Christian drummers and buglers (married) ..	...	...	½
Naicks, drummers, sepoys ...	..	½	½
Band property	...	...	36
Adjutant's office	...	.	18
Quartermaster's office	...	...	5
Paymasters, Her Majesty's regiments ..	...	...	10
Regimental forage	..	..	18
Ditto treasure chest ..	...	....	18
Mess property, European regiment	..	...	352
Ditto, Native ...	.	...	168
Ditto, troop or company of artillery or detachment of recruits having an established mess .		...	66
Ditto, sergeants, European regiment ..	..	...	10
Additional for each officer present ...		4	5
Bazárs.			
Per troop or company, European or native cavalry, infantry, sappers or reserve company of artillery	...	...	5
A troop of European horse artillery .	...	...	10
Ditto of Native ditto ...	...	...	12
A company of European foot artillery with battery	..	...	7
Ditto of Native ditto ditto	...	...	10

The above rules, so far as they relate to military officers, have been approved by the Supreme Government.

(See also "Escorts with Troops," Police Department.)

Supply of forage for troops on march.
Circular No. 36A, dated 19th August 1870.

District officers should arrange that the grasscutters of regiments on the march may, on arrival at encamping-grounds, be directed to the best places in the neighbourhood for cutting grass.

Private property must of course be respected, but there is usually abundance of grass on the sides of the roads and other public places which can be made available for the regimental grasscutters.

Supplies to—on the march.
Notification No. 2042, dated 5th June 1872.

On receiving the ... move, the officer com... Collectors or Political ... date on which the corps or detachment will arrive at each stage on the march, noticing the places at which it will halt for one or more days; this communication will be accompanied by an indent for supplies in the prescribed form.

Officers indenting for more than is required for the use of their camp will be held responsible for any loss which may accrue to the suppliers.

Supply of carriage to—
Circular No. $\frac{9}{VI-394-2}$, dated the 14th July 1884.

Carriage should not be supplied except to commanding officers, and strictly in accordance with the standing orders on the subject.

Carriage required for the movement of troops. Supply of—through the Commissariat Department:—
Government of India, Home Department, No. 1672, dated 16th September 1859, and G. O. Nos. $\frac{2167}{III-1281}$, dated 19th October 1859, and No $\frac{2304}{III-1281}$, dated 22nd November 1859.

The attention of all district officers is requested to the rules ... Passages, ... 151, and ... carriage is to be obtained by regimental authorities from the Commissariat, and permit, under the conditions therein laid down (paragraph 96), of the Commissariat applying to the civil authorities for assistance.

The position of the Commissariat Department is that, on occasions of this sort, it utilises all Government carriage that may ...

Beyon... and hence ...able to appe... The Commissariat Department is, however, bound to make its own arrangements for carriage when this is possible, the aid of the civil authorities being called in only when difficulty is experienced in its provision.

Provision has been made in the Army Regulations [paragraph 96, clauses *(f)* and *(g)*] for the case of troops leaving one district for another, and arrangements should be made for the relief of the carts, if necessary, by the civil authorities passing on the requisition to those in the adjoining districts.

Commissions in the Native ——— Grant of—to young men of family and of warlike races—
G. O. No. [illegible], dated 15th December 1887.

The Government of India, under instructions from the Right Hon'ble the Secretary of State for India, having sanctioned the gradual introduction of young men of family and of warlike races into the Native Army with direct commissions, it was directed that all applications for such direct commissions be submitted to Government through the Commissioner of the Division; and that, when called on by the Military authorities, the District Officers should furnish direct the descriptive rolls of candidates for direct commissions.

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Registration for the purposes of—
Circular No. 40A, dated 8th August 1867, G. G. O. No. 2453 (Home Dept.), dated 18th July 1867.

THE law, as left by Act XXV of 1867, recognizes two kinds of registration, *viz.*, registration of books, and registration for copyright of books.

Registration of books is created by Act XXV, and made compulsory by its section 18. Registration for copyright of books is not new; it was established by Act XX of 1847, which has not been repealed by Act XXV of 1867.

By section 18 of the latter Act, the payment of Rs. 2 gives to a registration under that section the force of a registration for copyright under the old Act. Registration for copyright of books issued after 1st July 1867, may be made under the provisions of either Act.

CORRESPONDENCE.

All correspondence between Chaplains or Assistant Chaplains and the Government should take place through the channel of the Bishop or the Archdeacon. No application can be attended to which is transmitted to Government direct, except under very special circumstances.

Channel of—between Chaplains and the Government.
No.___, dated 25th June 1840 (Ecclesiastical).

The following is a list of subjects dealt with in each department of the Secretariat.

Classification of—in the Secretariat.
Circular No. $\frac{11}{\text{III-1K}}$, dated 10th April 1864.

The Departments into which correspondence is classified are as follows:—

I.—Revenue and Scarcity.
II.—Appointment.
III.—General Administration.
IV.—Political.
V.—Medical.
VI.—Judicial (Criminal).
VII.—Judicial (Civil).
VIII.—Police.
IX.—Local Self-Government.
X.—Financial.
XI.—Municipal.
XII.—Miscellaneous.
XIII.—Separate Revenue.
XIV.—Forests.
XV.—Education.
XVI.—Sanitation.
XVII.—Legislative.

Some of the principal subjects falling under each department are given as a guide for the classification of cases.

I.—Revenue and Scarcity Department.

Advances under the Agriculturists' Loans Act.
Advances under the Land Improvement Loans Act.
Agriculture and Agricultural Statistics.
Alluvion and diluvion.
Acquisition of land for public purposes.
Botanical and Horticultural Gardens.
Cinchona.
Civil Veterinary Department.
Correspondence relating to the land revenue of the country.
Crop forecasts.
Crop and weather reports.
Court of Wards

I.—Revenue and Scarcity Department.—contd.

Drainage in canal-irrigated districts.
Emigration.
Exhibitions.
Famine and scarcity.
Farming leases.
Horse-breeding operations
Kanúngos.
Land Revenue Administration.
Land Revenue balances
Land Records and Agriculture.
Malikana.
Meteorology.
Mills.
Mines.
Model farms.
Muafi.
Mutations.
Naib-Tahsildárs,
Partitions.
Patwáris.
Powers (Revenue and Rent) of officers.
Prices-current.
Rain gauges.
Settlements.
Statistics of industries,
Surveys.
Talbana.
Takávi.
Tea cultivation.
Tahsíldárs.
Territorial changes.
Sale of ancestral property.
State properties.

II.—Appointment Department.

Appointments ... Postings ... Transfers ... Leave of all kinds, Promotions ... Retention and Retirements ... } of all Gazetted officers.

Conduct and dismissals ... Suspensions ... Joining time. Death reports ... Exemption from examination ... Civil List. } of all Gazetted officers.

III.—General Administration Department.

Addresses.
Administration Report
Archæology.
Army.
Copyright.
Correspondence.
Dogs.
Factories.
Forts.
Holidays.
Marriage Registrars.
Memorials.
Meteorites.
Official documents.
Presents from and to Native Chiefs.
Printing presses.
Public buildings.
Seditious rumours.
Volunteers.
Wild animals.

IV.—Political Department.

Boundary questions.
Ceremonial visits.
Darbars.
Kharitas.
Native Chiefs.
Native States.
Pilgrims to the Hedjaz.
Political detenus.
Salutes.
State prisoners.
Titles.

V.—Medical Department.

All correspondence on administrative questions with the Inspector-General, Civil Hospitals, as head of the Provincial Medical Department.
Medicines.
Medical schools.

VI.—Judicial (Criminal) Department.

Absconded offenders.
Accused persons.
Appeals.
Arms and Arms Act.
Capital punishment.
Chemical Examiner.
Child Murder.
Convicts, transmarine.
Deserters.
Europeans. Trials of—
Explosives Act.
Extradition.
Fees for executing commissions issued by courts.
Fines imposed by Criminal Courts.
Foreigners.
Honorary and Special Magistrates. Appointment, &c., of—
Jails.
Lock-ups.
Lotteries.
Lunatics.
Oaths of office
Poisoners.
Powers to officers.
Prisoners.
Prosecutions.
Railway accidents.
Railways. Jurisdiction of Magistrates in respect to—
Rewards for apprehension of criminals.
Security for good behaviour.
Soldiers. Arrest of—
Trespassing.
Vagrants
Workhouses.
Whipping.
Witnesses.
Wounded persons.
Records. Disposal of criminal—
Public officers. Prosecutions for defamation of—.
Dead-houses.
Saltpetre and sulphur passes.

VII.—Judicial (Civil) Department.

Examinations of junior officers.
Civil Procedure.
Munsifs.
Registration.
Suits. Institution and conduct of—on behalf of Government.
Legal Remembrancer's Report.
Kumaun Civil Reports.
Decrees of Civil Courts.
Intestate property.
Pleaders and mukhtárs.
Probates and letters of administration.
Powers. Grant of—

VIII.—Police Department.

Administration of the department.
Chaukidárs, village and road.
Criminal tribes.
Dieting of wounded persons.
Eunuchs.
Escorts with troops.
Extra police.
Infanticide.
Police officers. Conduct of—
Professional poisoners.
Report of crime.
Condition of dák horses.
Female infanticide.

IX.—Local Self-Government Department.

Arboriculture.	District schools.
Cattle shows.	Grants-in-aid to local schools.
Elections, constitution and functions of district boards.	Epidemics.
Income and expenditure of ditto.	District vaccination.
Rules under Act XIV of 1883.	Village and town sanitation.
	Local hospitals and dispensaries.

Hospital assistants and local medical establishments.

Generally all questions connected with Local Self-Government in the North-Western Provinces and Oudh.

X.—Financial Department.

All references to the Codes of the Financial Department.	Establishments.
All references to Imperial, Provincial, or Local Funds (other than district boards funds).	Pensions and gratuities.
Advances and loans.	Travelling and other allowances.
Banks and treasuries.	Treasure trove.
Budgets and all questions affecting budgets.	Record funds.
Coinage.	Retention in service of non-gazetted officers above 55 years of age.
Contingencies.	Embezzlements.
Currency and stock notes.	Railways.
	Securities.
	Salaries.

XI.—Municipal Department.

All correspondence connected with municipalities.

Election, constitution, and functions of municipal boards.	Taxation.
Rules under Act XV of 1883.	Nuisances.
Towns administered under Act XX of 1856.	Hackney carriages.

XII.—Miscellaneous Department.

Books, newspapers, &c.	Government Gazette.
Camp equipage and carriage.	Liveries.
Cantonments.	Nazúl.
Cemeteries.	Pounds.
Churches.	Saráis.
District dák.	Stationery and printing.
Articles of European and American manufacture.	Stores.
Fairs.	Post-office rules.
Ferries.	Telegraphs.
	Warm clothing.

XIII.—Separate Revenue Department.

Inland Customs.	Excise.
Stamps.	Income-tax.

Opium.

XIV.—Forest Department.

Correspondence regarding Forest Administration.

XV.—Educational Department.

Rewards for vernacular literature.
Administration of the department.
Examination in vernacular of Educational officers.
Education of European and Eurasian children.
Orphans.
Departmental examinations.

XVI.—Sanitation Department.

Cholera.
Conservancy.
Sanitary arrangements at fairs.
Sanitary arrangements of military encamping-grounds.
Mortuary and birth registration.
Vaccination and Sanitation.

XVII.—Legislative Department

Business before Provincial Legislative Council.

In quoting any Government Order under reply, great care must be taken to give the numbering correctly in full, *e.g.*, G. O No. $\frac{21}{X-10-5}$. If former correspondence is referred to, a Government order should, if possible, be quoted, and not the last letter from the corresponding officer.

Address of—to officials in the United Kingdom, Continental Europe, and the Colonies:— *G. O. No.* $\frac{1411}{III-54-A}$, dated 10th December 1880.

It having come to the notice of the Government of India that Government officials in India have addressed official communications direct to (1) officials in [illegible] ls in Continental Europe, and (3) [illegible] irect communications being irregular, [illegible] the persons mentioned should be made through the channel of the Government of India and Her Majesty's Secretary of State.

Home Department, No. $\frac{8}{181}$, dated 30th January 1880.

These orders do not refer to the Local Government, nor to correspondence with Consular or Diplomatic officers; nor do they supersede the orders contained in Financial Department Resolution No. 3512 of the 16th October 1883 (*vide* pages 104—XII, Miscellaneous, Vol. II of this Manual) regarding correspondence with the Director-General of Stores at the India Office

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Confidential. Transmission of— Circular No. $\frac{[illegible]}{III-[illegible]}$, dated 22nd July 1884.

All confidential communications to Government should be forwarded in double covers; the inside one being sealed and marked "confidential," and the outer one being sealed and addressed in the ordinary way.

Dating of— Extract, Home Department Resolution No. [illegible], dated 13th September 1871.

In dating letters, the date affixed should be that on which the letter is despatched, unless special reasons make a different course necessary.

Enclosures. Rules for— No. 3134, dated 13th December 1881.

In all cases forwarded for orders, whether it is deemed necessary to submit enclosures or not, all that is important in the case or necessary for the full exposition of the subject, should be stated in the letter addressed to Government.

Forms. Docket and letter—for correspondence with Government
Circular No $\frac{796}{III-404}$, dated 10th November 1884.

The following instructions have been issued for filling up the printed form of docket and letter which is prescribed for use in all correspondence with the Government:—

(1) The Government should invariably be addressed by letter and not by docket or endorsement.

(2) On page 1 of the docket, the following particulars only should be entered:—

(a) the designation of the correspondent officer;

(b) the number and date of his letter, and the number of enclosures or spare copies, if any;

(c) A carefully prepared abstract of the contents of the letter, which should be as full as is consistent with brevity.

(3) Nothing should be written below (this space being reserved for office notes and orders), *i. e*, on the lower half of page 1 and the whole of page 2 of the docket.

(4) On page 3 the letter of the correspondent officer should be written, and in cases where the matter extends over this page, it should be carried on to the next. Extra pages may be stitched on when the communication is of great length, but care should be taken to provide a margin as in the printed form.

A form is also prescribed for all applications for leave. No special instructions for filling it up are necessary. The entries on the docket (page 1) will be the same as those on the ordinary docket form All the forms are to be procured from the Government Press on indent.

Packing. Method of—
India's No 3721, dated 24th October 1881.

WAXCLOTH is often used for the outer covering of articles intended for transmission by post The postage stamps are affixed either to this outer covering or to the inside covering, which is generally of paper. In the one case the stamps do not adhere properly to the covering material, and are therefore liable to fall off; and in the other the outer covering is required to be cut open by the post-office at the point where stamps are affixed, for the purpose of defacing the stamps under the rules of the Postal Department, and thus the object of protecting the article from rain or damp by the use of waxcloth is frustrated.

In some parts of the country, especially during the rains, the use of waxcloth for the transmission of articles by post may be indispensable. But when in such cases it is used, its use as an inside covering only is desirable.

Queen-Empress, Members of Royal Family or State officials in England. Channel of communication with—
Home Department Notification No. 1377, dated 23rd June 1887.

The Governor-General in Council has decided that all letters or communications addressed to Her Majesty the Queen-Empress of India, or to members of the Royal Family, or to high officials of Her Majesty's Government in England, by public bodies or associations in British India, or by individuals resident in British India, shall in future be sent through Local Governments and Administrations to the Home Department for transmission to their destination.

The receipt of letters otherwise transmitted will not be acknowledged.

Correspondence with Government

Circular No. 177/[illegible]—149-9, dated 20th February 1885.

The following instructions are issued regarding correspondence with Government:—

In all cases in which correspondence comes before the Government, it is desirable that there should be no difficulty in ascertaining who the actual writer of each letter is. The name of the writer as well as his official designation should therefore be specified in all cases in which the letter is not actually signed by him. This principle should be acted on not only in the cases referred to below, but universally. For example, copies of letters are frequently forwarded to the Government by Commissioners, or Heads of Departments, headed " copy of letter from the Collector of C———." In such cases the name of the Collector should be given.

These directions should be observed in correspondence generally, and not only in correspondence with Government.

(For correspondence regarding building see " Public Buildings ")

G. O. No. 653/III [illegible] III, dated 1st [illegible]

All officers must consider themselves responsible for the matter and style of official letters issued in their names, and are expected to sign their letters with their own hand and not with a rubber stamp. The only exceptions to this rule are when an officer is physically incapacitated from writing his name, or when he is absent from headquarters, in which latter case, to save delay, a subordinate is allowed to sign for him.

Whenever a Head Clerk or Superintendent of an office or other officer signs letters for the Head of a Department or for the [illegible] the name of [illegible] by him and [illegible] gnature.

Officers who use *type-writers for demi-official* correspondence with Government should be careful to write their signature with their own hand and not typewrite it

Circulars of Heads of Departments. Submission of—to Government for sanction before issue.

G. O. No. $\frac{1000}{\text{VI}-126\text{B}}$ [Judicial (Criminal) Department] dated 18th May 1883.

THE following rules are prescribed regulating the issue of circulars to subordinate officers by Heads of Departments :—

1. All circulars addressed to subordinate officers by Heads of Departments must, before issue, be submitted to Government for sanction, unless—

(1) they deal with matters of mere routine ;

(2) they call attention to existing rules or orders ;

(3) they give effect to specific instructions of Government, and are issued in pursuance of such instructions.

2. Copies of all circulars issued by Heads of Departments on their own authority should be submitted to Government for information at the time of issue.

DEATHS.

MEDICAL officers in charge of civil hospitals should state the cause of death in the usual death report of Europeans preparatory to interment.

Europeans. Report of— Circular No. 2007, dated 31st March 1856.

INTIMATION of the death of any Italian subject should be . with all avail- : in leading to

Italian subjects. Report of— Circular No. $\frac{233}{III-464}$, dated 8th March 1856.

DISTRICT OFFICERS.

Confidential memorandum to be prepared by officers giving over charge of a district.
Circular No. 52, dated 29th May 1879.

Every officer who shall leave a district of which he has been in charge for more than a year, on transfer, furlough or retirement, shall record, for the use of his successor, a carefully prepared and exhaustive memorandum, noting therein all points of which it is important that his successor should be informed.

The remarks will be recorded in a confidential book to be kept for the purpose; additions being made by each successive officer who shall have held charge of the district for the prescribed term.

Although an officer, whose tenure of charge has not exceeded one year, is not required to record a memorandum of the kind referred to, there is no bar to his doing so; and he should not fail to do so if he is in possession of information which will, in his opinion, prove of value to his successor in office.

The subjects to which attention should be specially directed in these memoranda are the working of the police; the manner in which the incidence of the land revenue assessment affects the district; the portions which require particular care on the occurrence of drought or high prices; any special offence to which any portion of the ordinary population or criminal tribes of the district are addicted; and the working of municipal and district committees.

In addition to this, should be carefully recorded the names and character of the more important native gentlemen or headmen of the district; their activity or supineness in the suppression of crime, and any special services which they may be fitted to render to the Government in case these should be required of them. Existing rules provide for a record of the qualifications and services of the ministerial officers of a district, and this record must be duly kept up.

Official business by—Transaction of—
No. 146, dated 5th October 1879.

All judicial work should be taken up and disposed of at kutcherry.

2. Reports at the hearing of which parties may appear or which affect the interests of particular individuals should be heard in kutcherry.

3. All other reports may be heard and disposed of as may be found most convenient by district officers, but as far as possible the attendance of a particular ministerial officer at private residences should be discouraged.

4. District officers should make it a rule to attend kutcherry daily at some fixed and known hour, as far as this is possible with reference to their duties generally.

In regard to points (1), (2) and (3), Commissioners should observe the same procedure as district officers; and they should satisfy themselves from time to time that the practice of their district officers conforms to the instructions now issued.

Much of the work devolving on district officers is of such a kind as can best and most conveniently be done at home; and in view of the onerous duties devolving on them, no hard-and-fast *rules are laid down for rigid observance. But the above instructions*—if carried out in their spirit and intention—should not seriously incommode any officer in the discharge of his duty.

DOGS.

Killing of—
Circular No 1643A, dated 17th July 1874.

COMPLAINTS having reached Government that dogs are not unfrequently killed in a manner which offends the humane feelings of the people, it is intimated to Magistrates that while it is not the wish of Government to interfere with their discretion in the matter, it is trusted that care will be taken that no cause for such complaints will be given in future.

ECCLESIASTICAL RETURNS.

Ecclesiastical returns. Circular No 34, dated 16th April 1879.

A STATEMENT in the following form should be furnished annually to Government by district officers not later than the 1st January of each year:—

IV.—STATISTICS OF INSTRUCTION.

A.—ECCLESIASTICAL.

Return of persons according to religious denominations in the district of for the year.

1	2		3	4	5	6
Denomination.	(a) Natives.	(b) Others	Number of ministers or priests	Number of churches or buildings designed or used for worship	Total annual income from Government.	Remarks.
Church of England						
Church of Scotland						
Protestant Dissenter.						
Roman Catholic ..						
Greek Church ...						
Armenian ..						
Syrian .						
Jew ..						
Parsi ...						

Civil Service Examinations in London.—Native candidates for the—
Notification No. 2252, dated 21st August 1888.

EXAMINATIONS.

The Governor-General in Council is pleased to publish the following rules under which certificates of age and nationality will be issued to natives of India who are candidates for the examinations for the Indian Civil Service held in England:—

General rules applicable to all candidates.

I.—A candidate for admission to compete in England for the Indian Civil Service is required before leaving India to obtain a certificate of age and nationality signed, should he be a resident in British India, by the Secretary to Government of the province, or the Commissioner of the division, within which his family resides; or, should he reside in a Native State, by the highest Political Officer accredited to the state in which his family resides.

NOTE.—In the case of [illegible] ing a certificate, the certi[illegible] that the latter produces t[illegible] states when the candidate [illegible] stay in that country.

II.—In order to obtain a certificate, a candidate is required, if resident in British India, to prove the date and place of his birth [illegible] istrict in which his family resides, [illegible] before the Political Officer of the [illegible]

III.—A candidate must, if resident in British India, signify to the Secretary to Government of the province or the Commissioner of the division in which his family resides, his desire to compete not less than three months before the date on which he proposes to go to England. If resident within a Native State, he must signify his desire, in like manner, to the highest Political Officer accredited to the state within which his family resides. The officer to whom the application is made shall forward it for the purpose of enquiry to the Magistrate of the district or Political Officer of the state in which the applicant's family resides.

IV.—The Magistrate or Political Officer to whom such application has been forwarded shall call upon the candidate to appear and give evidence of the date and place of his birth and of his nationality within one month. He will carefully examine into the value of the evidence given, and forward a summary of it, with certified copies of all documents tendered, and his comments and opinion, to the officer who forwarded the application to him for enquiry.

V.—The documentary evidence which a candidate may be expected to produce comprises—

(a)—The horoscope.

(b)—Family books.

(c)—Tradesmen's account books, showing entries relating to the birth.

(d)—The record of admission in the registers of the school in which the candidate was educated, and record of the candidate's age at various periodical school examinations.

(e)—If the candidate is matriculated, a certified copy of his application to the Registrar in Form A.

Oral testimony of persons acquainted with the candidate's family, or otherwise able to give relevant evidence, will also be taken; and the candidate is required to comply, to the best of his power, with any requisition the Magistrate or Political Officer, as the case may be, may make in order to clear up any doubt as to the purport of the documentary proof.

VI.—Any declaration of age made after the application of these rules on the occasion of seeking admission to any university examination, educational institution, or Government office, or otherwise recorded in a formal and deliberate manner, will be taken as conclusive evidence in disproof of the subsequent assertion by the same person that he is of different age to that so declared or recorded.

Rules to apply to candidates born in Her Majesty's dominions.

VII.—If the Secretary to Government, Commissioner of a division, or the highest Political Officer accredited to the state, as the case may be, shall be satisfied by the papers submitted that the candidate has stated the date and place of his birth correctly, he will issue a certificate declaring that the candidate has submitted the proofs of his birth to the Magistrate of the district or the Political Officer of the state, as the case may be, and has satisfied him that he was actually born on or about the date stated by him, *viz.*, the day of 18 , at , a place within Her Majesty's dominions. Such certificate shall be given in the following form:—

I hereby certify that , who is a candidate for the Indian Civil Service, has submitted the proofs of his birth and has satisfactorily shown that he was actually born on or about the date stated, *viz.*, the day of 18 , at , a place within Her Majesty's dominions.

VIII.—If the Secretary to Government, Commissioner of a division, or the highest Political Officer accredited to the state, as the case may be, finds reason to disbelieve that the candidate was born on the day or at the place asserted by him, the certificate will be refused, and the candidate will be unable to obtain admission to the competitive examination for the Indian Civil Service.

IX.—Where the date and place of birth have been formally registered in a register kept by any public officer in British India, an extract from the register duly certified by the proper official shall be accepted as sufficient proof of the date and place of the birth.

Rules to apply to candidates not born within Her Majesty's dominions.

X.—In addition to the particulars required by Rule II, a candidate not born in Her Majesty's dominions must also prove that he is the son or grandson of a person born in those dominions.

XI.—If the Secretary to Government, Commissioner of a division, or the highest Political Officer accredited to the state, as the case may be, shall be satisfied by the papers submitted that the candidate has stated the date and place of his birth correctly and has established the fact that, though born without the limits of Her Majesty's dominions, he is the son or grandson of a person born in those dominions, he will issue a certificate in the following form:—

I hereby certify that , who is a candidate for the Indian Civil Service, has submitted the proofs of his birth and has satisfactorily shown that he was actually born on or about the date stated, *viz.*, the day of 18 , and that he was born at a place without Her Majesty's dominions, but that he is the $\frac{\text{son}}{\text{grandson}}$ of a person born in those dominions.

XII.—If the Secretary to Government, Commissioner of a division, or the highest Political Officer accredited to the state, as the case may be, finds reason to doubt that the candidate was born on the day asserted by him, or that he is the son or grandson of a person born in Her Majesty's dominions, the certificate will be refused and the candidate will be unable to obtain admission to the competitive examination for the Indian Civil Service.

Oriental languages. Examination of junior civilians in—Rules for the—

Home, Revenue and Agricultural Department No 1, dated 2nd January 1880. Home Department No. 55, dated 11th October 1881. Home Department No 57, dated the 13th August 1883.

The following are the rules for the encouragement of the study of oriental languages among the junior members of the Bengal Civil Service, with detailed list of the authorized text-books.

In the case of those groups containing a text-book or books of which a revised edition is under preparation (see italicized entries in the list appended), the group of text-books hitherto adopted will continue to be used until the new edition has been issued.

Due notice of such issue will in each case be given and also of the date on which such book, and the group of text-books to which it may belong, shall come into force.

I.—The standards of examination and donations to be given to successful candidates will be as follows:—

			Rs.	
Higher Standard.	Arabic	...	800	With certificate from the presiding examiners.
	Sanskrit	.	800	
	Persian	. .	500	
High Proficiency.	Urdu	...	1,000	
	Hindi		1,000	
	Bengali	...	1,000	
	Uriya	..	1,000	
	Persian	...	2,000	
	Arabic		2,000	
	Sanskrit	...	2,000	
Degree of Honor.	Urdu	.	2 000	With diploma from the Government of India
	Hindi	..	2,000	
	Bengali	..	2,000	
	Persian	...	4,000	
	Arabic	...	5,000	
	Sanskrit	...	5,000	

II.—Subject to the condition that an officer serving in the Upper Provinces will not be eligible for examination in Bengali or Uriya, until he has obtained a certificate in one of the other languages, candidates may present themselves for examination in any of the languages enumerated in Rule I A Civil Servant attached to the Upper Provinces who may have obtained a certificate of High Proficiency in Urdu, Hindi or Persian under the rules of the 2nd October 1861, or the rules of the 24th March 1870, will be deemed to have satisfied the foregoing condition.

III —No Civil Servant will be permitted to present himself for examination by two standards of the same language simultaneously, but he may have the option of competing for the higher examinations in any language without first undergoing any inferior test.

IV.—No Civil Servant will ordinarily be permitted to appear more than twice as a candidate at any examination; but if a special recommendation be made by the examiners, a candidate will be allowed to appear a third time.

V.—No Civil Servant will be permitted to present himself for the Higher Standard, High Proficiency, or Honor Examinations after the expiration of five, ten and fifteen years, respectively, counted from the date of his first arrival in India. No exception to this rule will be made on account of leave or any other cause. Civil Servants may be permitted to attend the examinations after the expiration of the periods specified in this rule, but no reward will be granted to them if they pass; and their leave must be limited to such time as may be necessary to enable them to attend

the examination, and no extra expense must, under any circumstances, be caused to the state. In such cases it will be within the competence of Local Governments to refuse applications for permission to attend any particular examination when compliance with such application would involve inconvenience to the public service.

Home Department Resolution No. $\frac{1 \text{ Exam}}{27\text{-}6\text{-}1}$, dated 30th January 1591.

A question having been raised as to the date from which the periods specified in Rule V above should be counted in the case of Statutory Civilians, to whom the rules were extended by the orders of the 8th November 1881 read above, the Governor-General in Council is pleased to decide that the periods in question shall be counted in their case from the date of their confirmation in the Statutory Civil Service.

VI.—Civil Servants who may have passed examinations under the rules of 1861 (cancelled in section VII of the rules of 1870) or of 1870 (cancelled by the present rules) will not be eligible to compete at corresponding examinations in the same language or languages under the rules now passed.

Government of India, Home Department Resolution No. 5501, dated 14th December 1871, and letter to Government of Bombay, No 1814, dated 8th November 1881.

VIA.—Civilians who are Natives of India and who have entered the service by competition should not receive the donations prescribed, when such Native Civilians merely pass in the vernacular of the district in which they were born or educated. It is left to the Local Government to determine in each case what languages come within this definition.

This rule applies also to the cases of Native Civilians appointed under the Statutory Rules after their confirmation in the service.

Probationers are not allowed to appear at these examinations.

Home Department Notification No 298, dated 10th August 1893.

VII.—Examinations will be held quarterly on the first Monday in January, April, July and October of each year at Calcutta. Examinations by the Higher Standard in Persian will also be conducted under the orders of the Military Officers commanding, by Station Committees half-yearly, on the first Monday in April and October, at any Military station where a board of qualified officers can be assembled. Should the first of January fall on Monday, the examination will be held on the following day.

Civil Servants desirous of attending examinations must apply for leave to do so to the Local Government at least three months *before the date of examination*, and a copy of such permission should be forwarded to the Secretary, Board of Examiners, Calcutta, in the case of examinations held at the Presidency; but Civil Servants attached immediately to the Government of India must apply for leave to the Home Department, through the Department of the Government of India under which they are serving, and such application must be accompanied by a certificate from the Accountant-General of the province to which the applicant belongs, that he has not exceeded the time of residence mentioned in section V.

VIII.—The following are the subjects of examination for the Higher Standard—

(*a*) Construing, with readiness and accuracy, from the under-mentioned books:—

Sanskrit	Rejupatha.
Persian	Ikd-i-gul. Ikd-i-Manzum.
Arabic	Nafhat-ul-Yaman, 1st part *Selections from the Alif-Laila (to be made).*

(*b*) Translating accurately and with correctness of idiom and grammar not less than half an ordinary octavo page of plain English into the language in which the examination is held.

(*c*) Reading fairly, and translating readily and correctly, manuscripts in the above languages. These manuscripts may be selected from the proceedings of a case in court, from reports or petitions addressed to civil or military authorities, from letters passing between natives of India in the ordinary course of business, or from private correspondence. They should not be written with the clearness of a printed book nor yet in a very cramped or crabbed hand, but in such a manner as fairly and honestly to represent the written characters generally employed.

(*d*) [illegible]

[illegible] fluency and with such correctness of pronunciation, grammar and idiom, as to be at once intelligible. In Sanskrit, the colloquial portion must be omitted.

IX.—The following are the subjects for the High Proficiency Examination :—

(a) Construing with readiness and accuracy from the undermentioned books :—

Urdu	...	Ikhwan-us-safa. Nasr-i-be-Nazir. Araish-i-Mahfil. Masnawiyat of Sauda.
Hindi	...	Raj Niti. Prem Sagar. Ramayána, Book II.
Bengali	...	*Sita Haran.* *Sakun Tala.* *Sitar Banabas.* *Bijoy Balabha.*
Uriya	...	Hetopadesha. Batris Singhasan. *Ramayana Sundara Kanda.*
Arabic	...	Nafhat'-ul-yaman. *Selections Alif-Laila (to be made).*
Persian	...	Gulistan. Bostan. *Mirza Hairat's translation of Malcolm's History of Persia, Vol. II.*
Sanskrit		Hitopadesha. 1st nine cantos of Raghuvansa (expurgated edition by Iswara Chandra Vidya Sagar).

(b) Translating into English with accuracy a passage in narrative style not taken from the text-books and selected, in all languages except Sanskrit, from the current literature of the day.

(c) Translating with accuracy of idiom and neatness of expression into the language in which the examination is held an English paper in narrative style.

(d) Translating in like manner a paper of English sentences.

(e) Conversation in the language (except in Sanskrit).

(f) Reading and translating at sight manuscript in the language.

(g) Dictation in the language of a translation made at sight from a paper in English placed before the candidate.

(h) A paper of grammatical questions.

X—The following are the subjects for the Honor Examination. :—

(*a*) Urdu ...	Fisana-i-Ajaib. Dewan of Atash, 1st half. Kulliyat of Sauda. *Urdu-i-Mualla of Ghalib.*
Hindi ...	*Satsaiya of Behari Das, with commentary of Sri Lallu Lal.* Sabha Bilas. Rámayána of Tulsi Das.
Bengáli...	Mahabharata. Kadambari. *Allaler gharer dulal.* *Kapalkundala.*
Persian...	Akhlak-i-Jalalí. Insha-i-Abul Fazal Sháh-namah, one volume, or about one-fourth of the whole. Dewan of Hafiz.
Arabic....	Hamasah—*1st two books, pages* 1-109, *Calcutta edition.* Timur namah. Makamat of Hariri, *1st half.* *Saba Muallakat.*
Sanskrit..	(*a*) 1st and 2nd Adhyayas of the 1st Ashtaka of the Rigveda Sanhita (*b*) Cantos I. to VI. and XI to XVIII , inclusive, of the expurgated edition of the Kiratarjuniya of Iswara Chundra Vidya Sagar. (*c*) Sakuntala Natáka.

(*b*) A written examination in the books, the papers set to include questions in grammar and prosody.

(*c*) Translating into English with accuracy two pages—one in prose and the other in poetry—selected from some difficult work not being a text-book. The passage in prose will, in all languages except Sanskrit, be selected from the current literature of the day.

(*d*) Translating a difficult passage from English with accuracy, elegance and neatness of expression and perfect correctness of grammar and spelling.

(*e*) Conversing with accuracy and fluency (except in Sanskrit).

(*f*) Reading and translating at sight a manuscript in the language.

(*g*) Dictation in the language of a translation made at sight from a paper in English placed before the candidate

XI.—The Honor Examination will be of a searching nature, and the exercises, both oral and written, must be performed with such excellence as distinctly to establish a claim to eminent proficiency.

XII.—Successful candidates for the Degree of Honor shall be arranged in two divisions, according to the number of marks obtained. For the first division, 80 per cent. of the marks must be obtained in all subjects, and not less than 60 per cent. in any one paper; for the second division, 60 per cent. must be obtained in all subjects, and not less then 45 per cent. in each paper. The reward and diploma will be granted only to those passing in the first division, and their names only will be published in the *Gazette of India*. Those passing in the second division will be deemed to have passed for the purposes of leave and travelling allowance rules, but they will not be allowed the benefit of those rules on a second occasion, should they elect to compete again for the reward of a Degree of Honor.

EXAMINATION—LEAVE OF ABSENCE.

For rules on the subject, see section IV, Part III, Chapter XII, Civil Service Regulations.

DETAILED LIST OF AUTHORIZED TEXT-BOOKS.

THE following list of text-books for the various examinations, with the places where they may be obtained, is published for general information. A revised edition of the text-books entered in italics is under preparation :—

Selections for the Higher Standard.

Ditto Lower ditto

Urdu ...	Ikhwan-us-Safa ...	Board of Examiners' Office and Messrs. Thacker, Spink & Co.
	Nasr-i-be-Nazir ...	
	Araish-i-Mahfil ...	
	Masnawiyat of Sauda ...	
	Kulliyat of Sauda ...	
	Fisana-i-Ajaib ...	
	Dewan-i-Atash (Lucknow edition), procurable in the bazár.	
	Urdu-i-Mulla of Ghalib, Akmal-ul-Matabi Press, Delhi.	
Hindi ...	Satsaiya of Behari Das with Commentary of Lallu Lal...	Procurable in the bazár.
	Sabha Bilas ...	
	Rámayána of Tulsi Das (Ramjasau's edition) ...	Medical Hall Press, Benares.

Language	Book	Where procurable
Hindi	*Rajniti* (Hale's edition, printed at Presbyterian Mission Press, Allahabad) ...	Out of print.
	(An edition procurable in the bazárs, but very inaccurate.)	
	Prem Sagar (Calcutta edition of 1842)	Bazárs.
Bengali	Rajdut	Bazárs.
	Nabanari	
	Sitaharan	
	Sakuntala	
	Sitar Banabas	
	Bijay Ballabha	
	Kadambari	
	Mahabharata	
	Allalel Gharer Dulal (by Babu Peari Chand Mitter) ...	
	Kapal Kundla by Babu Bankim Chandar Chatterji) ...	
Uriya	Hitopadesha	Baptist Mission Press, Calcutta.
	Batris Singhasan	Orissa Mission Press, Cuttack.
	Rámayána Sundrakand ...	
Arabic	*Selections from the Alif Laila (to be made).*	
	Nafhat-ul-Yaman	Bázars.
	Hamasah	
	Saba Mullakat (edited by F. A. Arnold, Leipsic, 1850.) ...	Messrs. Williams and Norgate.
	Makamat of Hariri (edited by de Sacy)	
	Timur-namah (Calcutta edition of 1836)	Bazárs, but rare.
Persian	Ikd-i-Gul (Selections by Colonel Lees) ..	Board of Examiners and Messrs. Thacker, Spink & Co
	Ikd-i-Manzum	
	Gulistan	
	Bostan	Bazárs
	Mirza Hairat's translation of Malcolm's History of Persia ..	Bombay—Messrs. Thacker, Spink & Co.
	Ikhlak-i-Jalali (Lucknow edition)	Bazárs.
	Insha-i-Abul Fazal (Lucknow edition)	
	Shah-namah (Vuller's edition) ...	Messrs. Williams and Norgate.
	Diwan of Hafiz (Bombay edition, 1827) (now used) ...	Bazárs.

Language	Books	Publisher
Persian ...	*Sadi's edition recommended*, printed by Ritter Von Bosen Zenig	Vienna.
Sanskrit...	Rejupath (Calcutta edition) ...	Bazáis.
	Hitopadesha	
	Raghuvansa, expurgated edition (Vidya Sagar)	Messrs. Thacker, Spink & Co.
	First and second Adhyayas of 1st Ashtaka ot Rigevda Sanhita, edited by Dr. Banerjea ...	
	Kiratarjuniya (edited by Vidya Sagar)	Sanskrit Press, Calcutta.
	Sakuntala Nataka ...	

Examination in the Russian language.
Government of India, Home Department, Notification No. 2129, dated 19th December 1889.

The following are the regulations under which a limited number of members of the Covenanted Civil Service will be permitted to present themselves for examination in the Russian language while on furlough.

1.—The Civil Service Commissioners will hold examinations in London twice a year, commencing on the first Tuesday in April and the third Tuesday in October, for the purpose of examining officers in Russian.

2.—Officers who obtain 5 of the total marks will be noted in their record of service as "Passed" in Russian, and those who obtain ·8 will be noted as qualified to be "Interpreters" in Russian.

3.—The maximum marks allotted at this examination will be 800, divided as follows :—

Dictation [illegible] ..	50	800
[illegible]	100	
[illegible]	200	
[illegible]	150	
[illegible] and from English into Russian from *ex tempore* reading ...	300	

4.—Applications for permission to appear at these examinations must be made to the Government of India in the Home Department—(a) in the case of an officer directly under the Government of India, through the department in which he is serving; and (b) by an officer under a Local Government or Administration, through the Local Government or Administration to which he is subordinate. Applications must not be made to the India Office, London.

5.—S[illegible] to a limited number of officers o[illegible] to his credit a sufficient amount [illegible] complete the full course of study and appear for the final examination within its limit. The whole time so passed will be treated as part of the furlough taken,

and the officer will be entitled to furlough pay during it. The *Government of India* reserves to itself full discretion to grant or withhold permission in any case.

6.—
tary kno
of the to
Commissioners for the purpose of examining officers in foreign languages, or passes one of the preliminary examinations in Russian held in India, will be permitted to proceed from England to Russia for a further course of study of the Russian language.

Home Department Notification No 8, dated 6th February 1891.

7.—On starting for Russia he may be granted an advance of *pay not exceeding 35 days' furlough* pay, and also not exceeding *£100*. Such advance will only be granted to an officer who draws his furlough pay from the India Office, and will be recovered in *instalments* spread over eight months after his arrival in Russia.

8.—Shortly after his arrival in Russia, he shall report to the India Office his address and the date of his entering Russia. Any subsequent change of his address shall likewise be reported.

9.—The period to be spent in Russia shall not be less than eight months. As special value is attached to a lengthened stay in Russia, he shall not present himself for final examination till one year after passing the elementary test either in England or India, and shall not be permitted to attend any intermediate examination held by the Civil Service Commissioners.

10.—Two months before his final examination he shall notify to the India Office the address in England to which his order for examination should be sent by the Civil Service Commissioners.

11.—He shall return to England a full week before his final examination, and shall report to the India Office in writing his arrival and the date of his quitting Russia.

12.— n qualifying to be
an Inter receive a gratuity
of £200, £42 in repayment
of his travelling expenses to and from St Petersburg or Moscow, as the case may be. The gratuity of £200 shall be paid only in cases where there has been the full term of residence in Russia for the purposes of study. No grant on account of travelling expenses shall be made to an officer who fails to qualify to be an Interpreter, but he may earn the gratuity and the consolidated sum for travelling expenses if he succeeds at any subsequent examination in qualifying to be an Interpreter.

13.—Whether successful or not at the final examination, he shall rejoin in India within two months from the date on which it

began, unless his leave or furlough extends beyond that period. If, however, his leave has been granted under medical certificate, it will be necessary for him, as usual, to obtain a certificate that he is in a fit state of health to return to his duty.

14.—An officer shall be entitled to count as Indian duty for promotion and pension, but not as service for furlough, the period of eight months spent in Russia.

FACTORIES.

Indian Factories Ac[t] Rules under the— Notification No $\frac{1200}{III-30}$ dated 6th May 1893.

The following rules under section 18(1) of the Indian Factories Act, XV of 1881, as amended by Act XI of 1891, have been published for general information and guidance :—

Rule 1.—Every Inspector who is appointed under section 3 of the Act shall, in respect of the factories in any district, be officially subordinate to the Magistrate of the district. The Magistrate of the district, in his capacity of Inspector, shall be officially subordinate to the Commissioner of the division.

2. Each Inspector shall keep a register of all factories within his jurisdiction in the Form A attached to these rules, and a permanent serial number shall be given to each factory.

3. Inspectors shall inspect factories within their jurisdiction not less than twice a year, and shall satisfy themselves that the provisions of the Act are duly observed. The Inspectors should arrange between themselves for suitable dates of inspection.

4. Inspectors may enter a factory for the purposes of section 4 of the Act at any time during the day, provided that they shall, in order to verify registers kept under section 9 of the Act, examine the children employed only in working hours.

5. The Magistrate of the district or Provincial Inspector shall send through the post, under registered cover, a notice to the occupier of any factory which he may consider as coming within the purview of the Act, intimating his intention of placing the factory upon his register.

6. Any person served with a notice under rule 5 whose premises do not fall within the definition of a factory given in the Act may, within 15 days of the receipt of such notice, forward to the Magistrate of the district a statement setting forth his objections to the registration of the premises as a factory. The District Magistrate shall consider and dispose of such objections after making such inquiry as he may deem necessary, and shall make up his register of factories in accordance with the provisions of the Act, intimating his decision to the Provincial and Medical Inspectors.

7. When any premises cease to be occupied as a factory, the occupier may give notice of the fact to the District Magistrate, who shall, if satisfied that the Act is no longer applicable to such premises, remove them from his register of factories, and intimate the fact of his having done so to the Provincial and Medical Inspectors.

8. Each Inspector shall keep a register of inspections in Form B below, in which shall be recorded all orders or remarks passed by him at each inspection.

9. Each Inspector shall at once furnish a copy of his inspection memorandum to the Commissioner of the division (through the Magistrate of the district, if the Inspector be not himself such Magistrate) and also to the occupier of the factory inspected. The despatch through the post, under registered cover, of a copy of the inspection memorandum shall be deemed to be sufficient service on the occupier of the factory of any orders or directions therein contained.

10. It shall be the duty of the Civil Surgeon in each district to certify, in Form C below, the age of any person employed, or desirous of being employed, in a factory, when called upon to do so under section 5 of the Act A fee of four annas shall be the fee payable to a certifying Surgeon by a person employed in a factory for examining him. After examination the Civil Surgeon shall give him a certificate as to his age according to the provisions of that section. The District Magistrate shall provide the Civil Surgeon with the required forms of certificate.

11. Every occupier of a factory shall keep a file of all certificates of certifying Surgeons relating to children in his employ, and shall produce it when required by the Inspector. Every such certificate shall be returned by such occupier to the parent or guardian of the person to whom it relates on his leaving the factory for other employ, and on demand of such parent or guardian and on receipt of the cost of the certificate, if such cost has been paid by the occupier.

12. Every occupier of a factory shall keep a monthly register in Form D attached to these rules, and no such register shall be destroyed or removed from the factory without the written permission of the Magistrate of the district.

13. Notice in writing of all accidents resulting in death or from which the injury is evidently so severe that there is no reasonable hope that the injured person will be able to return to his work within 48 hours shall be given on the day on which the accident occurs. Notice of accidents of a less severe character, but which nevertheless prevent the person injured from returning to his work within 48 hours of their occurrence, shall be given immediately on the expiry of the 48 hours' interval allowed by section 13 of the Act. All notices of accidents shall be in Form E, and shall contain the name of the person or persons injured, and full information as to the nature and cause of the accident, and shall be sent by special messenger to the Magistrate of the district and to the nearest police station. A copy of the notice shall be sent by post to the Provincial Inspector at his headquarters, Calcutta.

14. Every order for the fencing of any part of the machinery or mill-gearing of a factory which the District Magistrate or Provincial Inspector may pass under section 12(c) of the Act shall state

clearly what is required, so that the said machinery or gearing may be securely fenced, and shall specify a reasonable time within which what is required to be done shall be completed, and it shall further give notice that if it shall not be so completed, the person responsible for the breach of the order will be prosecuted under section 15 of the Act.

15. Every occupier of a factory shall set up and maintain, in a conspicuous place in the factory, a printed or written notice, in English and the Vernacular, of the daily working hours of the factory in Form F below.

16 Appeals from the orders of Inspectors under the Act shall lie to the Commissioner of the division in which the factory is situate.

17. Appeals should be in the form of a memorandum of appeal, similar to that contained in the fourth schedule to the Civil Procedure Code, No. 173, and the stamp fee for such appeal should be regulated by Article 11, Schedule II of the Court Fees Act.

18. If the order of an Inspector is set aside or modified in appeal, the Inspector shall, as early as possible, deliver to the occupant of the factory such amended order as may be in conformity with the orders of the Commissioner.

19. The matters which Medical Inspectors should enquire into mainly are—

(1) Cases in which children under the authorized age (9 years) are employed in factories;

(2) The observance of the sanitary rules issued under section [illegible] the question [illegible] a quarter; the visits should be made unexpectedly.

20. In every factory a supply of pure potable water from one or other of the following sources shall be provided:—

(a) from a general municipal water service;

(b) from one or more wells so situated as not to be liable to be polluted or contaminated with organic matter or other impurities.

21. When taps are not used, a suitable establishment must be maintained for the drawing, protection and distribution of the water.

22. Proper arrangements must be made for maintaining, in drained and cleanly condition, the area around the spot set apart for the distribution of the water.

23. Every occupier of a factory shall, on every day on which work is carried on in the factory he occupies, have available at the said factory for the use of the persons employed therein, free of cost

in them, a water-supply consisting of at least twice as many gallons of water as there are persons employed in the factory. Of the water supply, at least as many gallons as there are persons employed in the factory shall be fit for potable purposes, and the remainder shall be fit for purposes of washing.

24. All the inside walls of the rooms of every factory, and all the ceilings, or tops of such rooms (whether such walls, ceilings or tops be plastered or not), and all the passages and staircases of every factory, if they have not been painted with oil or varnished once at least within seven years, shall be lime-washed by the occupier of the factory once at least within every 14 months, to date from the period when last lime-washed; and if they have been so painted or varnished shall be washed by the said occupier with hot water and soap once at least within every 14 months, to date from the period when last washed.

25. The floors of factories shall be swept at least once a week or oftener, if it is so necessary, to maintain them in a cleanly condition.

26. For every factory adequate latrine accommodation shall be provided in part of the grounds detached from any other factory buildings. In no case shall there be less than one latrine seat for every fifty persons employed.

27. Wherever women are employed, separate latrines, properly screened off from observation and secluded from latrines for the males, shall be provided for women.

28. When any general system of underground sewerage is in force in a municipality, all factory latrines and urinals within the municipality shall be connected with the sewerage system.

29. When no underground sewerage system exists, the dry-earth system, with separate vessels for solid and liquid excreta, must be adopted, and satisfactory arrangements must be maintained for the regular removal and disposal of excreta.

30. All drains carrying waste or sullage water shall be constructed in masonry or other impermeable material, and shall be regularly flushed and connected with some recognised drainage line.

31. The compound surrounding every factory shall be maintained in a strictly sanitary and cleanly condition.

32. A legible copy of these rules, with a translation thereof in the vernacular of the district in which the factory is situated, shall be kept hanging in a conspicuous place in each factory.

33. If the copy become defaced or illegible, a fresh copy must be purchased. Copies of these rules and of the Factory Act can be obtained at a price of 5 annas each, either in English or vernacular from the Government Press, Allahabad.

FORM A.

[N.B.—This register should be rewritten at the commencement of each calendar year.]

REGISTER OF FACTORIES.

———— District. ————Division.

Serial number.	Town, thána, or other local division in which factory is situated.	Name or description of factory	Nature of business carried on	Name of occupier.	Number of persons ordinarily employed				Date of inspection during the year 18
					Adults.		Children.		
					Men	Women	Male	Female.	

FORM B.

REGISTER OF INSPECTIONS OF FACTORIES.

———— District. ————Division.

Number of factory in Register A.	Name or description of factory	Name of occupier	Date of inspection.	Number of persons at work on date of inspection.			
				Adults		Children.	
				Men.	Women.	Male.	Female.

Remarks and orders.

1. Condition of fencing.
2. Supply of drinking water.
3. Sanitary arrangements.
4. Whether returns are submitted in due time.
5. Whether registers are duly kept.
6. Age of children.
7. Other remarks.

FORM C.

No.————

Dated the—day of——18 .

Name of person examined————

Son of————
Daughter of————

Residing at————

Name and locality of factory at which to be employed————

Age certified————

(Sd.)

Certifying Surgeon.

FORM C.

(*Under Rule* 12 *of the Rules made under section* 18 *of the Indian Factories Act,* 1881.)

CERTIFICATE UNDER SECTION 5 OF THE INDIAN FACTORIES ACT, 1881.

No.————.

Dated the—day of——18 .

I HEREBY certify that I have this day examined—

(Name)————

son of————
daughter of————

residing at———— who is employed / desirous of being employed in the ———— (state name and locality of factory)

and that his age, as nearly as it can be ascertained from my examination, is years.

(Sd.)

Certifying Surgeon.

FORM D.

MONTHLY FACTORY REGISTER OF CHILDREN ADMITTED TO EMPLOYMENT IN————.

Name and locality of factory————.

1	2	3	4	5	6	7	8	9
Serial number.	Name of child.	Sex.	Name of parent or guardian.	Parent's residence.	Age on admission as given by parent or certified by certifying Surgeon.	Nature of employment.	Date of first admission.	Name of certifying Surgeon (if any), and number and date of his certificate.

FORM E.

(*Under rule* 13 *of the rules made under section* 18 *of the Indian Factories Act XV of* 1881, *as amended by section* 16, *Act XI of* 1891.)

FORM OF NOTICE OF ACCIDENTS OCCURRING IN A FACTORY.

To

Sir,

I beg hereby to give notice, under section 13 of the Indian Factories Act, that an accident occurred in the factory of at o'clock this day, causing to the persons mentioned below :—

Name.	Caste.	Sex.	Age	Nature of injury

2. The accident was caused by

3. The injured persons are under treatment by (or have been removed to the hospital)

I have, &c.,

Manager.

Dated

FORM F.

FORM OF REGISTER OF HOURS OF EMPLOYMENT.

Hours of commencing and closing work daily.									Remarks.
Commencing hour			Intervals of rest			Closing hour.			
Men.	Women	Children	Men.	Women.	Children.	Men.	Women.	Children.	

APPENDIX I.

Name of factory____________________________

Date of inspection____________________________

1. Number of persons at work on date of inspection :—

Adults	...	...	...	Male. Female.
Children	..	...	...	Male. Female.

2. Names of children, if any, who in the opinion of the Inspector are under 9.

3. Names of any children, if any, under 14 who are not entered in register of children (Form D).

4. Have you inspected the file of certificates kept by the occupier of the factory under rule 13 of the rules of 1882? Is it in order?

5. How many certificates have you tested by personal examination of the children to whom they refer?

6. Is the notice required by section 10, clause 1 of the Act, set up in a conspicous place in the factory ?

7. Are the intervals of rest prescribed by section 6, subsection (3), and section 7, subsection (4), and detailed in the notice, duly observed ?

8. From what source (a) is the drinking water, (b) the washing water, supplied ?

9. Is the supply in each case equal to that prescribed by rule ?

10. Is the drinking water pure ?

11. Is the drinking water properly protected from pollution, and are the arrangements prescribed by rules 2, 3 and 4 properly maintained ?

12. When were the ceilings, walls, passages and staircases last lime-washed ?

13. Are they in need of a fresh wash ?

14. Is the factory generally in a cleanly condition ?

15. Is there adequate latrine accommodation ?

16. How many seats are there—

(a) in the latrine for men ;

(b) in the latrine for women.

17. If there is a system of underground sewerage, are the latrines and urinals connected with it?

18. Is the dry-earth system adopted, and what are the arrangements for the removal and disposal of the excreta?

19. On the date of inspection were the latrines in a cleanly condition?

20. Are all the drains carrying waste or sullage water constructed in masonry or other impermeable materials?

21. Are they connected with some recognised drainage line?

22. Are the arrangements for flushing them adequate?

23. Is the compound kept in a strictly sanitary and cleanly condition?

24. Can you detect any defect in ventilation which would cause an accumulation of gases, vapours, dust or other impurities whereby injury to health is likely to arise?

25 What is the general health of the operatives, especially of the women and children?

26. General remarks.

Factory returns. Home Department Notification No. 428, dated 25th March 1892.

In exercise of the power conferred by clause (2), section 18 of the Indian Factories Act, 1881, as amended by Act XI of 1891, the Governor-General in Council has been pleased to make the following rule.—

Every occupier of a factory shall furnish to the Magistrate of the district or, if the factory is situate within the limits of a presidency town, to the Special Inspector of Factories, or other officer designated in this behalf by the Local Government, the undermentioned returns on or before the dates specified against each:—

I. On or before the 15th July and the 15th January, respectively, a half-yearly return relating to the first and second half of each calendar year in the following form:—

Name and situation of factory.	Name of owner or occupier.	Name of manager.	Nature of industry.	Nature and amount of moving power.	Average daily number of operatives employed.				Whether the factory is worked by shifts or stoppages. If the latter, the hour and extent of daily stoppage.	Whether there is a general holiday on Sunday or on varying week days, or whether the factory has been exempted from the rule as to Sunday labour, under section 5 B(1), clause (c) of the Act.
					Adults.		Children.			
					Male.	Female	Male.	Female		

N B —The average daily number of children is to be taken from the register of children kept in the factory.

II.—On or before the 15th January of each year an annual return in the following form regarding measurements and space :—

Name and situation of factory.	Name of occupier.	Measurements and cubical contents of each room in the factory.	Area of the floor space of any room shown in the preceding column occupied by machinery or other fixtures.	Remarks.

III.—Before the end of each calendar month a return giving notice of all the days on which the factory will be closed during ensuing month.

FORTS.

Rules to regulate admission to armoured forts, turrets, coast batteries, submarine mining establishments, arsenals, and other ordnance establishments, to military works and places, whether fortified or not, set apart for naval or military purposes, and to closed portions of inland forts (not applicable to barracks and quarters).

Forts, turrets, &c. Rules for admission of visitors to—

G. O. No. [illegible], dated 10th December 18[illegible].

(A) As regards coast and frontier defences, position-finding stations, submarine mining and torpedo establishments, and such other works as may from time to time be specified in General Orders, the following rules will apply :—

1. Only those actually employed on the construction and maintenance of such works and establishments will be allowed to inspect or enter any of them without an order of admission for each individual issued by the General or other Officer Commanding the District, who is held responsible that no unauthorised persons gain admittance, or have opportunities for inspection from the outside. Subject to the approval of the Commander-in-Chief in India, or of the Commanders-in-Chief of the Madras and Bombay Armies, suitable precautions will be taken, and rules laid down, by the General or Commanding Officer of the district, in regard to the admission of all persons actually and necessarily employed on such works and establishments.

2. With the above exception, orders for admission will only be issued to officers, non-commissioned officers, and men of Her Majesty's Naval and Military Forces, including the Indian Marine, when duty requires them to enter the defences or establishments or when residence within obliges them to pass from and to such defences; and to such civilians only, in the employment of the Government of India, as are required to do so for the public service.

3. In the case of d [illegible] ever, such wo[illegible] keep their construction unknown, that consideration must be paramount.

4. All passes granted by the General or other Officer Commanding, must be given up and returned to the headquarters, except in cases where officers or civilians have occasion to visit works periodically in the course of their duty, in which case the General Officer Commanding may issue special passes, under proper precautions.

5. Foreigners, and all persons not on duty, applying for admission, must be referred to the Adjutant-General in India, or the Adjutants-General of the Madras and Bombay Armies, as the case may require.

(B) As regards the other works and establishments not included in the preceding clause (A), the following rules will apply:—

1. The following persons only will be allowed to enter the above, namely:—

(a) Commissioned Officers of the Army and Navy and gazetted Officers of the Indian Marine in uniform.

(b) Officials of the Military Works, Ordnance and Marine Departments, and officers and subordinates belonging to the Military Works, Ordnance and Marine Departments in actual charge of, or employed on, the works: sufficient means being adopted in each case to ensure their identification.

(c) Other British subjects (naval, military, Indian marine or civil) or native gentlemen in possession of a pass from the General or other Officer Commanding the District or station, or in the case of arsenals and other Ordnance establishments, from the Inspectors-General of Ordnance throughout their respective circles.

2. In the case of foreigners, a special authority from the Commander-in-Chief in India, or the Commanders-in-Chief of the Madras and Bombay Armies, will be required.

3. Visitors, being Officers of the Army, Navy, or Indian Marine in uniform, not on duty, will be required to give in writing their names and addresses to the officer, or warrant or non-commissioned officer, in charge, before entering.

4. Officers in plain clothes will not be admitted without passes.

5. It is to be distinctly understood that no officers, or officials, having a right to enter, are empowered to admit friends without previously obtaining passes for them from the proper authorities.

6. [illegible], is to be shown the [illegible] or the machinery [illegible] the works.

7. Information is not to be given to any person, except duly authorised British officers or specially accredited civilians, regarding the construction of the works, or the machinery in connection with them.

8. No person who is not one of the authorities specified in rule 1 (*b*) shall be allowed to make any written note, draw-

9 Passes are to be given up on entering any of the places mentioned above. They will be forwarded monthly to the headquarters of the district, if granted by the General or other Officer Commanding; to the Inspector-General of Ordnance if issued by him.

10. With respect to inland forts not ordinarily closed to the pub-

accessories, such as expense stores and magazines, except under the provisions of the above rules, subject to the following modifications :—

(*a*) The rules will be enforced in their integrity only as regards admission to those specified portions of the defences which in the opinion of the Commander-in-Chief in India (or as regards forts in Madras and Bombay, of the Commanders in-Chief of those Presidencies), are of such importance as to require special precautions against their *examination* by unauthorised persons; separate orders on this point being issued for each fort.

(*b*) With the exception of those specified portions as above, the defences of inland forts may be visited by a British subject or native gentleman in possession of a pass signed by any of the authorities enumerated in rule 1 (*c*) or by the officer in command of the fort, or if accompanied by a commissioned officer of the garrison in uniform.

HOLIDAYS.

Holidays in public offices.

No 1286 dated 19th October 1861.

THE undermentioned holidays are granted in all the public offices in the North-Western Provinces and Oudh, with the exception of the Judicial Courts, for which other rules have been specially provided, *viz.* :—

New-Year's Day	... ...	1 day.
Good Friday	... .	1 "
Queen's Birth-day	... ...	1 "
Christmas-Day and the six days after, 25th to 31st December	... ...	7 days.
Last Saturdays of every month, provided there are no arrears of work	... ...	12 "

MARRIAGES.

Marriage Banns, Publication of—.
Home Department No dated the 23rd May 188

THE Governor-General in Council is advised that no person can claim to have his banns published in any particular church, except so far as may be arranged by the ecclesiastical authorities for the convenience of residents in particular districts. His Excellency in Council is further advised that, although a marriage solemnized in India without banns or a license is not invalid on that account, no person can claim to be married by a clergyman of the Church of England without either a license or the publication of banns and that if a clergyman abstains from solemnizing a marriage unless one or other of these two conditions is fulfilled, no person can compel him to solemnize it.

Marriage expenses. Aid to the various societies for reducing Hindu—.
Circular No. 134, dated 3rd May 1875.

GOVERNMENT will gladly see Magistrates doing what they can, without the exercise of any official pressure, in the way of aiding *the various societies formed throughout the country* with the object of reducing Hindu marriage expenses.

So far as, without official interference, aid can be given, it may with advantage be done. No pressure in any form must be brought to bear; but if Magistrates can enlist the sympathies of the people on the side of reform, they will be acting unobjectionably and usefully.

Marriage with a deceased wife's sister in the case of East Indians. Illegality of—.
G O No. 1739-43A, dated 2nd July 1875.

THE marriage of an East Indian (domiciled in British India) with his deceased wife's sister is not *void*; but such a marriage is *illegal*, and may during the lifetime of both parties be annulled by an Ecclesiastical Court.

If therefore marriage with a deceased wife's sister in the case of East Indians is not annulled by the sentence of an Ecclesiastical Court in a suit instituted during the lifetime of both the parties, the survivor, either the husband or the wife, will succeed to the proper share in the estate of the deceased, which, in the case of intestacy, devolves on such survivor, as the lawful husband or wife of the deceased under the Indian Succession Act.

The above remarks apply only to the case where the husband is domiciled in British India. If an East Indian be domiciled in England, the law of his domicile would prevail, and if he married his deceased wife's sister, the marriage, though celebrated in India, would be void.

Marriages of Roman Catholic Native Christians. Manner of registration of—.
G. O. No. 7314, dated 19th August 1873.

THE following is the manner of registration of marriage of Roman Catholic Native Christians:—

The priests are supplied with a register in triplicate, which they fill up in their own vernacular, or in Latin or English, as may be most convenient to them; and one copy or set of entries is torn off by them and submitted to the Roman Catholic Bishop, and by him forwarded to the marriage registrar of the district.

Marriages. License to clergymen of Episcopal Methodist Church of America to solemnize—. India's No 289, dated 9th February 1886.

It would be unsafe to accept clergymen of the Episcopal Methodist Church of America as coming within the purview of section 5, clause I of the Indian Christian Marriage Act of 1872, and they should therefore apply to be specially licensed.

Rules under the Christian Marriage Act of 1872, as amended by Act VI of 1886. No. 733/VII—294B, dated 25th August 1891.

The following rules under sections 6, 7, 9, 62, 82, 83 and 85 of Act XV of 1872 (the Indian Christian Marriage Act), as amended by Act VI of 1886, are published for general information.

Appointments.

1. Licenses are granted by the Local Government on application submitted through the Magistrate of the district and the Commissioner of the division.

2. The Magistrate of the district, if of the Christian religion, is *ex officio* Senior Marriage Registrar for the purposes of the Act.

3. The Commissioner of Kumaun is deemed to be a " District Judge " within his division under section 85 of Act XV of 1872.

Books.

[illegible] on receiving [illegible]

Act:—

(1) A copy of the Act.

(2) A book of notices of marriage.

(3) A book of certificates of notices given and declarations made.

(4) A marriage register book with certificates in counterfoil.

(5) A similar book for Native Christians, with an additional column at the end showing the hour at which the marriage was performed.

5. Every Minister, on receiving intimation that he has been licensed, should take over the books kept by his predecessor, if there was one, and report to the Registrar-General of Births, Deaths and Marriages that he has done so, specifying the books received.

6. If he is not succeeding any other Minister licensed to solemnize [illegible] wanting, the requisite books [illegible] e Registrar-General of Births, [illegible] being made.

7. Every Minister, or other person licensed under the Act, who quits his district permanently, or intends no longer to solemnize marriages, is required to make over all the books in his possession to his successor, if one has been appointed, or to the Magistrate of the district if there be no successor, and to report to the Registrar-General of Births, Deaths and Marriages that he has done so.

8. The Magistrate will forward these books to the Registrar-General of Births, Deaths and Marriages, should no successor have been appointed within one month.

9. Registers which have been filled up will also be forwarded to the Magistrate of the district, for transmission to the Registrar-General of Births, Deaths and Marriages.

10. Under section 62 it is directed that persons licensed under section 9 of the aforesaid Act to grant certificates of marriages between Native Christians shall use the form of register and certificate prescribed in schedule IV of the Act, with the addition of a column at the end showing the hour at which the marriage was performed, and shall forward extracts from the registers kept by them to be deposited in the office of the Registrar-General of Births, Deaths and Marriages within one month from the date of the marriage.

Fees.

11. The following are the fees fixed under section 82 :—

For receiving and publishing each notice of marriage	Rs.	3
For issuing certificate of marriage by Marriage Registrars and registering marriage by the same	"	8
For entering protest against or prohibition of the issue of a marriage certificate	"	10
For searching register books or certificates, or duplicates or copies thereof, if the search extends over a period of not more than one year	Re.	1
For every additional year ...	As.	4
For giving copy of entry in the same under sections 63 and 79	Re.	1

12. The Marriage Registrar may, at his discretion, remit any part, not exceeding three-fourths, of the above fees, if the party or parties appear to him to be in indigent circumstances.

13. All fees received under the provisions of this Act by a Marriage Registrar or Registrar-General of Births, Deaths and Marriages are to be accounted for and paid over by him to Government, and all fees received by a person solemnizing a marriage, not being a Marriage Registrar, may be retained by him.

Returns.

14. Every Clergyman of the Church of Scotland and such Clergymen of the Church of Rome as are authorized in that behalf by the Roman Catholic Bishop of the Diocese or Vicariate in which they solemnize marriages, should forward quarterly, *i. e.*, on the 1st January, 1st April, 1st July and 1st October, to the Registrar-General of Births, Deaths and Marriages, returns of the entries of such marriages registered by him during the three months next preceding: and every Marriage Registrar should forward to the Registrar-General of Births, Deaths and Marriages on the 1st of each month certificates of all marriages registered by him during the preceding month.

15. The quarterly returns are only required for marriages of Europeans.

16. Ministers licensed to solemnize marriages should submit certificates of marriages solemnized by them at the end of every month to the Senior Marriage Registrar of their district, who should cause all such certificates which he may receive during any one month to be copied into a book to be kept by him for that purpose, and transmit them, with such number and signature added thereto as is required in sections 35 and 36, to the office of the Registrar-General of Births, Deaths and Marriages.

Rules framed by the Government of the North-Western Provinces and Oudh under sections 3, 12 *and* 14 *of Act* III *of* 1872 *as amended by Act VI of* 1882 (*to provide a form of marriage for those who do not profess the Christian, Jewish, Hindu, Muhammadan, Parsi, Buddhist, Sikh or Jain religion, and to legalize certain marriages the validity of which is doubtful*).

1.—Magistrates of districts shall be *ex officio* Registrars of marriages under Act III of 1872, and their districts shall be conterminous with the local limits of their jurisdiction, as prescribed under Act X of 1882.

2.—Marriages shall be registered by *ex officio* Registrars only at their offices and at no other place.

3.—All Registrars other than Magistrates of districts must give public notice of the place where they hold their office.

4.—Marriages at the Registrar's office shall be solemnized between the hours of 10 A. M. and 4 P. M., unless the additional fee mentioned in rule 5, clause (*d*), is paid.

5.—The following fees shall be paid for the duties to be discharged by Registrars under the Act:—

	Rs.	as.	p.
(a) For receipt of notice of marriage under section 4 ...	0	8	0
(b) For receipt of objection to such notice under section 6 ..	0	8	0
(c) For receipt of declaration under section 10 and subsequent attendance at a marriage in the Registrar's office under section 11	1	0	0
(d) For attending at a marriage at any other time than the office hours prescribed by rule 3, an additional fee of	2	0	0
(e) For giving a certified extract from the Marriage certificate book under section 14 .	0	8	0

6.—Marriages to be registered by a Registrar other than an *ex officio* Registrar, may be solemnized at any place other than the Registrar's office, which may be determined by the parties themselves, who shall specify such place in writing at the time when notice of the intended marriage is given to the Registrar.

7.—If such place is not more than five miles distant from the Registrar's office, the fee for registering the marriage shall be Rs. 4, and, if more than five miles distant, an additional fee of four annas per mile shall be charged.

8.—When a marriage is to be solemnized at any place other than the Registrar's office, it shall take place at any reasonable hour.

9.—All fees paid under these rules to *ex officio* Registrars shall be credited to Government.

10.—All Registrars are required to post a notice of every intended marriage publicly, and in a conspicuous place in their offices, for fourteen days before registering such marriages.

11.—All Registrars shall submit to the Registrar-General of Births, Deaths and Marriages, through the Commissioner of the division, an annual return in the form annexed of the marriages solemnized by them during the calendar year.

Register of marriages solemnized during the year ——

No.	Names of parties married.	Condition.	Rank or profession.	Age.	Dwelling place.	By whom registered.

MEDALS.

Medals. Replacement of lost—

Government of India, Military Department, No. 1927B, dated 3rd August 1889.

THE Government of India have decided that applications for the replacement of medals lost by members of the police force, the Jail or other Civil Departments, will, in future, be disposed of by the Head of the Department concerned in each province, in direct communication with the Controller of Military Accounts concerned; only special cases, or those in which it is recommended that the medals should be replaced at the cost of the State, being submitted for the orders of the Government of India direct by the Head of the Department concerned in each province.

The Board of Enquiry referred to in paragraph 2439, Army Regulations, India, Vol. II, Part II, will consist, in the case of a member of the police force, of a Superintendent of Police as president and two subordinate police officers as members, and, in the case of others, of a senior officer of the department as president, and two subordinate officers as members.

MEMORIALS.

Officers in Civil employ, Rules for presentation of—by—.
G. O. No. 1951, dated 9th November 1876 (Home Department), and No. $\frac{46}{1772-95}$, dated 21st September 1879.

EVERY officer wishing to address a memorial to Government shall do so separately, and not in concert with others; but this prohibition against the submission of joint memorials is not intended to apply to or affect the private interchange of individual opinions.

II.—No officer in the employment of Government may submit any memorial in respect to any matter connected with the official position which he occupies in which he is not personally interested, except as the agent of some person or persons unable *to act in their own behalf. The personal interest referred to in* this rule may be indirect.

The general prohibition against submission of joint memorials does not affect the case of any correspondence which the *Managers of Service Funds, as such, may have to conduct with* Government.

III.—No officer in the employment of Government shall submit a printed memorial.

IV.—No memorial shall be submitted in a form set for general adoption, but shall be couched in the memorialist's own words and in temperate and respectful language.

V.—Any memorial contravening these rules will not be taken into consideration by the authority to which it is submitted, and the officer or officers submitting such memorials will incur the serious displeasure of Government.

Rules for transmission of—addressed to Her Majesty or Secretary of State.
G. O. No. 707, dated 29th March 1878, as amended by G. O. No. 972, dated 24th May 1878, No. 415, dated 18th March 1881, and No 2112, dated 7th November 1879.

THE following are the rules for the submission, receipt and transmission of memorials and other papers of the same class, addressed to Her Majesty the Queen-Empress of India, or to the Right Honourable the Secretary of State for India, by private persons or by officers of all civil departments:—

N. B.—These rules do not in any way affect or supersede orders issued on the same subject by the military authorities for the guidance of the army.

I.—No memorial will be received or attended to unless *forwarded as hereinafter prescribed.*

II.—Every memorial should be accompanied by a letter *requesting* its transmission to the *authority to which* it is addressed.

III.—Every memorial addressed to Her Majesty or *to the* Secretary of State for India should be forwarded through the Local Government under which the writer is residing or is employed.

IV.—Memorials to Her Majesty or to the Secretary of State from persons in the Madras and Bombay Presidencies, should be forwarded direct by the Local Government, with a full statement of facts and an expression of opinion, except in the case of memorials which relate to any rule or standing order of the Government of India, or which, if granted, would cause expenditure for which the Imperial and not the Local Government would be primarily responsible, or which relate to any legislative proceeding of the Governor-General in Council or to an Act to which the Governor-General has assented, or which relate to a case which has been previously under the consideration of the Government of India, whether on appeal or otherwise. Such memorials should be forwarded with a covering letter containing a full statement of facts and an expression of opinion to the Government of India in the department having cognizance of the subject-matter of such memorials, by which department the memorials will be transmitted to the Secretary of State.

V.—Memorials to Her Majesty or to the Secretary of State from persons in Bengal, the North-Western Provinces and Oudh, or the Panjáb, should be forwarded by the Local Government, with a full statement of facts and an expression of opinion to the Government of India in the proper department for transmission to the authority addressed.*

* Appeals by private persons from the orders of Lieutenant Governors lie in the first instance to the Governor-General in Council. An appeal to the Secretary of State will lie only in the event of an appeal to the Governor-General in Council having been rejected.

VI.—Memorials to Her Majesty or to the Secretary of State from persons in the minor Administrations, the Central Provinces, British Burma, Berar, Mysore, Coorg and Assam, should be forwarded with a full statement of facts and an expression of opinion, by the Chief Commissioner, or other officer charged with the administration of the province, to the Government of India in the proper department for transmission to the authority addressed. †

† In these minor Administrations, also, appeals by individuals from the orders of the Chief Commissioners, &c., lie, in the first instance, to the Governor-General in Council, and thereafter to the Secretary of State.

VII.—No limit is fixed to the time within which an appeal from an order of the Government in India must be preferred to the Home Government, except in the case of appeals from a judicial decision in which the Judge is a political officer, and in which the appeal ordinarily lies to Government in the Political Department. Such appeals must be preferred within a period of twelve months from the date of communication to the persons concerned of the order to which objection is taken.

VIII.—Memorials may be transmitted either in manuscript or in print, but must, with all accompanying documents, be properly authenticated by the signature of the memorialist on each sheet.

IX.—Memorials, together with their accompanying documents, should be in English. If the accompanying documents must necessarily be forwarded in the vernacular, an English translation should be appended, which should be attested by the signature of the memorialist.

N. B.—It will be well for the transmitting office to examine such translations, and if they are found to be incorrect or faulty, to notice the fact in sending on the memorial.

X.—It is not necessary that memorials should be forwarded in duplicate or triplicate. The originals will invariably be transmitted to England; a copy being made and retained by the Government of India, if necessary, for record.

XI.—As a general rule, the transmission to England of a memorial duly forwarded through the proper channel will not be delayed by the transmitting Government in India beyond a month after the receipt of such memorial.

XII.—Governments and Administrations in India are vested with discretionary power to withhold the transmission of memorials addressed to Her Majesty or to the Secretary of State in the following cases:—

1.—When a memorial is illegible or unintelligible.

2.—When a memorial contains disrespectful or improper language.

3.—When a second memorial is presented after a decision has already been given by the authority to which it is addressed, and when no new facts or circumstances are adduced which afford grounds for a reconsideration of the case. A memorial addressed to Her Majesty by a person whose appeal to the Secretary of State has already been rejected shall be held to be a second memorial to the same authority and shall not be transmitted

4.—When a memorial is a mere application for pecuniary assistance by a person manifestly possessing no claim.

5.—When a memorial is an application for employment under one of the Governments in India from a person not belonging to the covenanted service.

6.—When a memorial is a mere appeal from a judicial decision.

7.—When a memorial is addressed by an officer still in the public service and has reference to his prospective claim to pension.

G. G. O. No 2061, dated 30th October 1889, Home Department.

8.—When a memorial is an appeal against an order of a Local Government regarding the dismissal, removal, reduction or other punishment of a Government servant whose salary was not more than Rs. 100 a month; or when it is an appeal against similar orders of a Local Government confirmed by the Government of India from a Government servant whose salary was not more than Rs. 250 a month.

9.—When a memorial is a mere appeal against the non-exercise by one of the Governments or Administrations in India of a dispensatory discretion vested in such Government or Administration by law or rule.

G. of I., Home Department, Notification No 1516, dated 14th September 1894.

10.—When a memorial is an appeal against a decision by any local, municipal or other authority, which by any law or rule having the force of law is declared to be final.

11.—When a memorial is an appeal against the action of a private individual, or of a body of private individuals, regarding the private relations of the memorialist and such individual or body.

XIII.—The Government of India may withhold the transmission of a memorial addressed to Her Majesty or to the Secretary of State, unless the memorialist has previously memorialized the Government of India and the Local Government concerned on the same subject.

XIV.—A list of memorials withheld under the discretionary power conferred by Rule XII will be forwarded quarterly to the Government of India in the case of memorials withheld by Local Governments under the same discretionary power, and by the Government of India in the department concerned to the Secretary of State.

No 1438, dated 24th September 1880.

The discretionary power of withholding petitions under clause 8, Rule XII of the rules for the submission, receipt and transmission of memorials and other papers of the same class addressed to Her Majesty the Queen-Empress of India, or to the Right Hon'ble the Secretary of State for India, by private persons or by officers of all Civil Departments, should be used with caution, and only after a fu[illegible] Having regard to the [illegible] ıbordinate services, dismi[illegible] ve serious distress, if not actual ruin, to them, and it is right that, under such circumstances, every opportunity should be allowed to them for making themselves heard. Further, when, as sometimes happens,

their representations reach the Secretary of State through non-official channels, it is convenient that he should be in a position at once to deal with them, instead of being obliged, as may now be the case, to refer for information to this country. Such petitions, therefore, should not be withheld when there is any reasonable prospect of difference of opinion as to the orders passed on them by the Government of India, or when they contain anything to which the attention of the Secretary of State is likely to be specially directed.

Rules for submission of—to Parliament.

THE following Despatch from the Right Honorable the Secretary of State for India, No. 13 (Political), dated 14th March 1889, is published for information and guidance :—

India, Home Department No. $\frac{76}{1095-1114}$, dated 20th June 1889.

"A case having recently occurred in which a memorial addressed to the House of Commons was withheld under Rule XII, clause 3 of the rules for the submission of Memorials to Her Majesty the Queen-Empress of India, or the Right Honorable the Secretary of State for India, His Lordship, while expressing the opinion that memorials addressed to Parliament cannot be withheld under the rules above referred to, which do not properly apply to such memorials, has decided that if a petition against the orders of the Secretary of State for India in Council is prepared for presentation to Parliament, it should be submitted to the House of Parliament to which it is addressed through the medium of some unofficial member of the House, and not through the Secretary of State."

The extracts from the Journals and Standing Orders of Parliament enclosed in the Despatch from the Secretary of State are as follows :

HOUSE OF COMMONS.

PUBLIC PETITIONS.

Every Member presenting a petition to the House must affix his name at the beginning thereof. (*Vide* Commons' Journals, 1833, March 20 ; 1833, February 19.)

Every petition must be written, and not printed or lithographed, (*Vide* Commons' Journals, 1793, May 6 ; 1817, March 12.)

Every petition must contain a prayer. (*Vide* Commons' Journals, 1813, July 10.)

Every petition must be signed by at least one person on the skin or sheet on which the petition is written. (*Vide* Commons' Journals, 1817, March 12.)

Every person signing a petition must write his address after his signature, or his signature will not be counted. (*Vide* Appointment of the Select Committee on Public Petitions, 1879, February 18.)

Every petition must be written in the English language or be accompanied by a translation certified by the Member who shall present it. (*Vide* Commons' Journals, 1821, March 16; March 21.)

Every petition must be signed by the parties whose names are appended thereto by their names or marks, and by no one else, except in case of incapacity by sickness. (*Vide* Commons' Journals, 1675, November 8; 1689, November 14; 1774, June 2; 1826, December 13; 1836, June 28.)

No letters, affidavits or other documents may be attached to any petition. (*Vide* Commons' Journals, 1826, February 20; November 28; 1856, March 14.)

No erasures or interlineations may be made in any petition. (*Vide* Commons' Journals, 1827, March 2; 1831, August 12.)

No reference may be made to any debate in Parliament. (*Vide* Commons' Journals, 1822, March 28.)

No application may be made for any grant of public money except with the consent of the Crown. (*Vide* Standing Orders.)

No application may be made for a charge upon the revenues of India, except with the consent of the Crown. (*Vide* Standing Orders.)

All petitions, after they have been ordered to lie upon the Table, are referred to the Committee on Public Petitions, without any question being [illegible] tter
or subject with [illegible] ven
notice of a Moti [illegible] be
printed by the Committee, such Member may, after notice given, move that such petition be printed with the votes. (*Vide* Standing Orders.)

A Member cannot present a petition from himself. It is quite competent to any Honorable Member to petition the House, but then his petition ought to be presented by another Member. (*Vide* Rules' Orders, and Forms of Proceeding of the House of Commons.)

MEM.—*Every petition offered to be presented to the House should be addressed "To the Honorable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled."*

The following rules regarding the submission of petitions to the Government of India are published for general information:—

Rules for the submission of—to the Government of India

G. G. O., Home Department, No. 1812, dated 11th October 1889.

Home Department Notification No. 964, dated 13th July 1893.

NOTE 1.—In these rules the words Local Government include a Local Administration, and also, except as regards Rule 3 (7), section III, the Commander-in-Chief in India and the head of a department directly under the Government of India.

NOTE 2.—These rules do not apply to non-pensionable subordinate, clerical and menial establishments employed in the construction and working of State Railways, to whom Circular No. VI, Railway, Public Works Department, dated 1st June 1888, applies.

NOTE 3.—These rules apply so far as may be to all memorials, letters and applications, &c., addressed to the Governor-General in Council.

Note 4.—The rules in sections I and III apply also to petitions by persons no longer in Military employ who have served in the Army or the Royal Indian Marine, or have been attached to Regiments or Batteries or to the Staff or Departments of the Army in any capacity.

SECTION I.

Rules regulating the submission of petitions to the Government of India by private persons or public bodies.

1. Every petition to the Government of India, whether it bears immediately on a matter of imperial policy or has reference to the orders or the general policy and action of a Local Government, should be forwarded through the Local Government under which the petitioner is residing or is employed. But there is no objection to the petitioners forwarding simultaneously a duplicate copy of the petition to the Government of India, if he so desires, provided that he marks it as a "duplicate."

1-A. A petition from a person who has been removed from, or has left, the service of Government, relating to his removal from the service or to claims arising out of his service, should be forwarded through the Local Government under which the *petitioner* was employed.

2. A petition may be either in manuscript or print, but must, with all accompanying documents, be properly authenticated by the signature of the petitioner, or, when the petitioners are numerous, by one or more of them, and it must conclude with a specific prayer.

3. Every petition should be accompanied by a letter addressed to the Local Government requesting its transmission to the Government of India, and, when any order of a Local Government is appealed against, by a copy of such order, as well as of any orders passed in the case by subordinate authorities.

4. Communications on matters connected with any Bills before the Council may be addressed either in the form of a petition to the Governor-General in Council, or in a letter to the Secretary in the Legislative Department, and must in either case be sent to the Secretary in the Legislative Department. Ordinarily such

communications will not be answered. Except in the case of the High Court at Fort William, such communications from Courts, officials, or public bodies should be sent through the Local Governments.

SECTION II.

Special rules regulating the submission of petitions by officers in civil employ.

1. Every officer wishing to petition the Government of India should do so separately.

2. Every petition should be submitted through the head of the office or department to which the petitioner belongs, and be forwarded by him through the usual official channel. But there is no objection to the petitioner transmitting a duplicate to the Government of India direct, provided that he marks it as a "duplicate."

3 No officer may submit a petition in respect of any matter connected with his official position unless he has some personal interest in such matter.

SECTION III.

Rules for observance by Local Governments in regard to the transmission or withholding of petitions.

1. Petitions should be forwarded to the Government of India by the Local Government with a concise statement of material facts and (unless there be special reasons for not doing so) an expression of opinion.

If the petition is an appeal against an order of dismissal from Government service, the papers submitted by the Local Government should show whether the charge against the petitioner was reduced to writing, whether his defence was taken and reduced to writing; and whether the decision was in writing.

2. When the petition is not in English, the Local Government should transmit a translation with it.

3. Local Governments are vested with discretionary power to withhold petitions addressed to the Government of India in the following cases :—

(1) When a petition is illegible or unintelligible.

(2) When a petition contains language which, in the opinion of the Local Government, is disloyal, disrespectful or improper.

(3) When a previous petition has been disposed of by the Secretary of State or the Governor-General in Council, and the petition discloses no new facts or circumstances which afford grounds for a reconsideration of the case.

(4) When a petition is an application for pecuniary assistance by a person manifestly possessing no claim.

(5) When a petition is an application for employment from a person not in the service of Government.

(6) When a petition is an appeal from a judicial decision with which the executive has no legal power of interference.

NOTE.—If the Government has reserved any discretion of interference, or is concerned as a party to the suit, or if the appeal is practically an appeal for mercy or pardon, the petition must be transmitted. But in the last mentioned case the transmission of the petition will not affect the discretion in regard to capital sentences allowed to Local Governments by the Home Department Resolution dated 14th October 1855.*

(7) When a petition is an appeal against an order of the Local Government upholding on appeal the dismissal, removal, reduction, or other punishment of a Government servant whose salary was not more than Rs. 100 a month.

(8) When a petition is an appeal against a decision which by any law, or rule having the force of law, is declared to be final.

(9) When a petition is an appeal in a case for which the law provides a different or specific remedy, or in regard to which the time limited by law for appeal has been exceeded.

(10) When a petition is an appeal against an order or decision of the Local Government, and is made more than six months after the communication of such order or decision to the petitioner, without satisfactory explanation of the delay.

(11) When a petition is addressed by an officer still in the public service, and has reference to his prospective claim for pension, except as provided in article 995 of the Civil Service Regulations.

(12) When a petition is an appeal against the non-exercise by the Local Government of a dispensatory discretion vested in it by law or rule.

(13) When a petition relates to a subject on which the Local Government is competent to pass orders and no previous application for redress has been made to the Local Government.

Home Department Notification No. 17[illegible], dated 30th October 1891.

4. If a petition is withheld, the petitioner should be informed of the fact, and the reason for it.

5. A list of petitions withheld under Rule 3, with the reasons for withholding them, shall be forwarded quarterly to the Government of India in the Department concerned.

Home Department. No. $\frac{25 \text{ Public}}{1990}$, dated 7th December 1894.

NOTE.—Appeals against capital sentences disposed of in exercise of the discretion referred to in the Note to Rule 3 (b) above, should be included in the list submitted to the Home Department.

Rules for submission of-to, and their disposal by, the Local Government.

Notification No. $\frac{1697}{\text{III—763B}}$, dated 12th July 1893.

THE following rules have been prescribed for the submission of petitions to, and their disposal by, the Government:—

1. A petition must be properly authenticated by the signature of the petitioner: it should be submitted through the head of the office or department to which (if any) the petitioner belongs, and be forwarded by him with an expression of his opinion through the usual official channel.

2. A petition must be written in intelligible, respectful and temperate language.

3 If a petition is an appeal from, or is connected with, an order passed by a subordinate authority, copies of the orders passed in the case must be submitted; similarly if the petition is one for mercy or pardon, or is connected with a judicial decision, copies of the decisions of the Courts should, except in the case of capital sentences, be submitted.

4 Petitions against orders punishing or upholding orders of punishment of Government servants must be submitted, unless satisfactory explanation is given of the delay, within six months from the date of such orders.

5. A petition will not ordinarily be accepted from one person on behalf of another, except when the person on whose behalf the petition is submitted is a prisoner, or is in duress, when the sender, if he be other than the Superintendent of Jail, must file a duly stamped power of attorney (*vide* Schedule I, Art. 50, Act I of 1879).

6. A petition presented to the Lieutenant-Governor of the North-Western Provinces does not require to be stamped under Article 1 (c), Schedule II of Act VII of 1870. As it is not possible to make a distinction in the case of petitions presented to the Chief Commissioner of Oudh, every petition presented to the Government will be accepted on plain paper.

7. A copy of a document referred to in article 6, 7 or 9 of Schedule I, Act VII of 1870, or in article 22 of Schedule I, Act I of 1879, and accompanying a petition to Government must bear the stamp of the value indicated in the above articles.

8. Section 6 of Act VII of 1870 absolutely prohibits the receipt of documents not duly stamped. Every such document will be returned to the sender. A petition enclosing a copy not duly stamped will ordinarily, if the consideration of the unstamped docu-

ment is essential, be returned to the sender with a direction that orders cannot be passed unless it is resubmitted with the copy duly stamped.

9. A petition of any of the following descriptions will also be ordinarily returned to the sender :—

(a) one in which the provisions of Rules 1, 2, 3, 4 and 5 have not been observed ;

(b) when the petition relates to a subject on which the petitioner can apply for redress to the courts of law, or [illegible] order of a [illegible] the execu- [illegible]

(c) when it relates to a subject on which local authorities or the head of a department are competent to pass orders, and no previous application has been made to them.

10. An officer forwarding a petition under Rule 1 should see that the orders regarding authentication, stamping of documents, &c., are observed.

11. Rule 7 applies to copies accompanying petitions to the Government of India, submitted to this Government for transmission to the Government of India.

METEORITES.

Disposal of—
Circular No. 31, dated 1st September 1866, and 8A, dated 21st June 1869 (N.-W. P. only).

METEORITES should be forwarded to the trustees of the Indian Museum, Calcutta, with observations upon the points mentioned in the subjoined note, prepared under the orders of the trustees of the British Museum :—

There are two varieties of aërolites or meteorites that have been seen to fall from space. The one consists of stony masses, often containing particles of iron, and of these many have been observed in their fall : the other variety is composed for the most part of iron. The actual fall of iron aerolites has been but rarely witnessed, though many masses of metallic iron have been found on the earth's surface of the meteoric origin of which there can be no doubt.

It is a matter of great interest, and of importance to science, that as many as possible of these bodies should be collected for comparison, and that all the circumstances accompanying their fall be carefully recorded ; and persons who, in the event of a "fireball" being seen or of a mass having fallen in their neighbourhood, will carefully collect facts regarding them, may make a very valuable contribution to science.

For this purpose enquiries should be instituted at once into the circumstances accompanying the fall of any meteoric mass and into the state of any such mass when it has fallen ; and as regards any meteoric appearance in the sky, it will be found advisable, after noting carefully the points in the heavens at which the meteor made its appearance, to give, as accurately as possible (see note), the direction of its track and the point at which it disappeared.

Where it is possible, this track should be delineated on a diagram, as explained in the note.

The points to which especial attention is invited are enumerated in the following two series of enquiries. The first series relates to meteoric phenomena in the heavens, and their association with the fall of aërolitic matter to the earth :—

(1) Note the exact position of the observer, according to latitude and longitude.

(2) Give the hour, day of month, and year.

(3) Give the apparent size of the luminous ball as compared with the full moon.

(4) Its shape; whether round, pear-shaped or otherwise; and if elongated, in what direction.

(5) It is particularly important to note the place where the meteor is first seen (as at A, see note) like a star and

from which, as it moves, it may appear to be increasing in size.

(6) State the duration of the phenomena; and

(7) Whether the ball again dwindles away to the semblance of a star and then disappears, or whether it retains to the last its full size, or then, as is often the case, divides into several balls or stars.

(8) Give the colours.

(9) Record any facts that can be gathered concerning detonations or noises accompanying the other phenomena.

(10) Endeavour to collect statements relating to the actual fall to the earth of any solid bodies.

(11) Do they consist of stone or iron, and is there anything peculiar in their structure?

(12) *Was the body red-hot, or warm, or did it exhibit evidence* of having been warm outside and cold within? as for instance, by being hot at first and intensely cold afterwards.

(13) It is desirable further to notice the depth to which, and the direction in which, the aërolite has penetrated the earth; also to state the nature of the soil, the effect produced on it by the aërolitic mass, the position in which the aërolite was found to be lying on the ground.

The second series of enquiries has for its object the acquisition of a more precise knowledge regarding the aërolites themselves. For this it is important to preserve, and to collect for the purposes of analysis and of scientific comparison, as many of these bodies as possible; and the following suggestions are offered in the hope of promoting this object:—

(1) Endeavour to get the meterolites as soon as possible after their fall, to prevent them from being injured, fractured or wetted.

(2) If not entire, try to procure fragments.

(3) Should persons or museums not be willing to part with them for the British Museum, then procure drawings, photographs, models or casts, accompanied by an accurate description of their colour, their external lustre, and, if broken, the nature of the substance or substances exhibited by the fracture; and especially be careful to describe the form of the aërolitic mass, whether angular or rounded, whether prismatic, or otherwise exhibiting

an approximation to any geometrical figure. Also state whether its surface be smooth or marked by any peculiar kind of roughness or pitted with hollows.

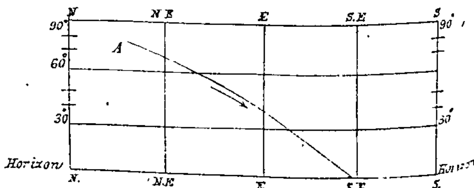
(4) Catalogues of the meteorites in local museums are very desirable, with statements of their weights, and also the time of and other facts accompanying their fall, as detailed above.

(5) From masses of iron or stone still lying on the earth, and too la
size, s
able
measu

(6) Iron meteorites should always be cut with a steel saw and emery.

The collection of aërolites in the mineral department of the British Museum is now, as regards the mass and size of the specimens, the finest in the world, and any person who may be in a position to contribute additional specimens is requested to accompany them with an attestation as to the weight of the specimen and facts regarding it, such as the senders may be in a position to state on their own authority, or as may have come to them on authority which they have reason to accept as reliable.

meridians and parallels of latitude. The accompanying sketch expresses that to an observer turned towards the east the meteor appeared in the N. N.-E. at an elevation of 85°, and fell down to the S.-E., where it disappeared only 10° above the horizon.



OFFICIAL DOCUMENTS.

Copies of—not to be given in all cases. Circular No 37A, dated 25th September 1877.

Copies of official letters are not to be given as a mere matter of course. In a judicial case, a party to the suit is generally entitled to a copy of the proceedings as a matter of right, but in executive matters this is not the case.

When recommendations for the grant of jágírs, assignments of land revenue, political or charitable pensions, and the like, are ma[illegible] the[illegible] of [illegible] be given to the party concerned; it may raise false hopes, and it may, on the other hand, give rise to petitions and memorials protesting against the views of the reporting officer.

Neither should copies of official letters from supreme authority be ordinarily given. In most cases it is quite enough to inform the parties concerned of the nature of the order that has been passed. Should any one of them require a copy of the letter, he should be referred to the superior officer by whom the order was passed, and from whose office the letter issued.

English figures. Use of—in—. No 1179, dated the 19th June, 1880 (Finl.)

The universal use of English figures in all official accounts of whatever kind is very desirable, and all heads of departments are requested to take the necessary steps to ensure their adoption.

Language in—to be assimilated as far as possible to the ordinary Urdu of conversation. Circular No 12A, dated 13th June 1867.

The admixture of Persian and Arabic words in the language of official records is ordinarily so profuse as to make them scarcely [illegible] l interests are concerned [illegible], and every effort should [illegible] terms cannot of course be [illegible] amibar vernacular terms should be rigidly forbidden, and the official style should be assimilated as far as possible to the ordinary Urdu of conversation.

This change of style is of the greatest importance, where it can most easily be made, in recording the depositions of witnesses; and the evidence of each deponent should be taken down as nearly as possible in his own words. In reading over the deposition, care should be taken to correct those words which the witness is not likely to understand. The style of *rubkars* depends upon the superior officer himself, and although a little difficulty may at first be felt in avoiding the cant official phraseology, the trouble will in time be amply repaid by the increased facility of expression and independence of the narrow official vocabulary.

Vernacular terms. Use of—in reports to be avoided. G. O. No. 430, dated 19th February 1881 (Her Majesty's Secretary of State's No. 45, dated 23rd December 1880).

"I take this opportunity of directing your attention to the inconvenience attending the use of vernacular terms in reports sent home to this office, and I desire that whenever it is considered desirable to make use of them in such reports or in official correspondence, their English equivalents may also be given."

Transliteration of Arabic names prescribed by Government of India, Foreign Department.
No 784E, dated 22nd May 1885.

Authorized system for the transliteration of Arabic proper names, published by the Government of India in the Foreign Office, for general information and guidance.

Arabic letter or symbol.	English equivalant.	Remarks.
ـَ	a *or* e	
ـِ	i	
ـُ	o *or* u	
آ	á	
ـِي	í	
ـُو	ú	
ـَي	ai	
ـَو	au	
ـَا (final)	á	
ـَى (final)	â	
ـِي (final)	í	
أ	a	
ب	b	
ت	t	
ث	th	
ج	j	
ح	h	
خ	kh	
د	d	
ذ	dh	Pronounced like th in "this."
ر	r	
ز	z	
س	s	
ش	sh	
ص	s	
ض	dth	Pronounced as dth in "width."
ط	t	
ظ	dth	Pronounced like ض
ع	'	*Eg*, قلعة transliterated would be kal'a.
غ	gh	
ف	f	
ق	k	
ك	k	
ل	l	
م	m	
ن	n	
ة ، ة ، ه	h	This letter to be omitted at the end of words, thus هديدة would be Hodaida, except before a following vowel, when it has the sound of *t*, *e.g.*, مدينة *Medina* مدينةالنبي, *Medinet-en Nabi.*
و	w	
ي	y	

OPIUM SETTLEMENTS OR WEIGHMENTS.

Interference by District Magistrates in the matter of—
G O No $\frac{177}{XII-187}$, dated 14th August 1888, Sep. Rev. Dept (Excise).

THE annexed rules have been laid down by Government in a particular case in which the Magistrate of a district, in view of the prevalence of cholera at the headquarters station, considered it necessary to temporarily prohibit opium settlements or weighments being conducted there. As such a prohibition seriously disturbs the operations of the Opium Department, and may inflict great hardship on opium cultivators, it is only justifiable in very exceptional circumstances.

RULES.

I.—The District Magistrate will not interfere with the practice of conducting the opium settlements or weighments at the sadar station, except in the special circumstances and under the conditions stated below.

II.—When, by reason of the prevalence of epidemic cholera or other serious epidemic disease in some particular section of the district, the District Magistrate is of opinion that the opium settlements or weighments for the cultivators of such section should be conducted elsewhere than in the sadar station, he shall communicate his proposals in writing to the Opium officer of the district.

III.—If the Opium officer makes no objection to the proposals, the District Magistrate may issue orders accordingly, sending a copy to the Commissioner of the division for information.

IV.—If the Opium officer does not concur as to the necessity for conducting the settlements or weighments elsewhere, the District Magistrate shall report the matter to the Commissioner for orders, and shall stay action until he receives them.

PRESENTS FROM, OR SALE OF PROPERTY TO, NATIVES.

Acceptance of presents from natives by Government officers.
G. G. O. No. 1299G, dated 20th June 1876 (Foreign Department).

The main provisions of the law on the subject are contained in 13 Geo. III, chapter 63, sections 23-24; 33 Geo. III, chapter 52, sections 62-63; 3 and 4 Wm. IV, chapter 85, section 76.

The prohibition of the receipt of presents from native chiefs and others does not extend to the receipt of a few flowers or fruits and articles of inappreciable value, although even such trifling presents should be discouraged.

It does not extend to the exchange of presents between Governors, Lieutenant-Governors, Chief Commissioners, Agents to the Governor-General, or Political Officers generally in their ceremonial intercourse with native chiefs, on which occasions the presents from the chiefs are deposited in the Government *toshakhána*, and return presents are given at the Government expense.

It does not apply to presents to medical officers made *boná fide* for services rendered.

The general prohibition extends to all servants of Government, Native or European, covenanted or uncovenanted, in whatsoever department they may be serving.

Where presents cannot absolutely be refused without giving offence, they must be delivered up to Government, and to this rule no exception whatsoever is permissible, save with the express sanction of His Excellency the Governor-General in Council, which will only be given under very special circumstances.

The above rules should be strictly observed and no deviation therefrom permitted, except with the previous sanction of the Government of India.

Acceptance of presents from natives by retired officers.
Home Department No. $\frac{43}{3190-99}$, dated 15th December 1888.

Although, strictly speaking, the rules on the subject of the receipt of presents from natives apply only to officers in the actual service of the Government, the Secretary of State in Council thinks that it is clearly objectionable that retired officers or their wives should receive presents. If such a practice were to be approved, it might obviously lead to the violation of the spirit, if not the letter, of the law and rules, and to aspersions on the character of public officers.

Rules regarding sale of property to natives by British officers.
No. 1667, dated 30th September 1868 (Foreign Department).

The following rules are applicable to European public servants of all descriptions, civil, military and uncovenanted:—

Whenever a public servant wishes to dispose of or purchase a house, bungalow, elephant, horse or carriage, or other valuable property to, or from, any native within his jurisdiction, or within the

limits of the district in which he is employed on the public service, and from which he is not about to remove, he must report his intention to the Local Government to which he is subordinate, stating facts and circumstances and the price offered for the article to be sold. The Local Government will then pass such orders on the reference as may seem fit and proper.

Whenever a public servant is about to quit his station or district permanently or for a considerable period, and wishes to dispose of his house, bungalow, elephant, carriages and horses, and the like property of value to native purchasers, he shall report his intention to the Commissioner or the head local authority to which he may be immediately subordinate, and that authority will use its discretion in allowing the transaction or in reporting the circumstance to the Local Government for further orders.

Whenever a public ser [illegible]
wishes to dispose of his [illegible]
&c., he is at full liberty to [illegible]
property amongst the comm [illegible]
put up to public auction, without reference to any authority whatever. All that is necessary is that the transaction should be open and patent to everybody on the spot.

The above rules are not applicable to *bonâ fide* transactions with regular dealers.

Home Department Notification No. 58, dated 20th January 1882.

PRINTING PRESSES.

Advertisements inserted in local newspapers.
Circular No. 34A, dated 19th March 1878.

Whenever occasion arises for the issue of advertisements for which more extensive publicity is desirable than can be secured by publishing them in the Government Gazette, heads of departments are at liberty to advertise in the local newspapers at the public expense, charging the cost in their contingent bills.

Annual return of—
Circular No. 1, dated 17th January 1876.

Commissioners should submit on the 1st June in each year a return in the subjoined form of the printing presses in their divisions as they stood on the 1st of the preceding April, and of the newspapers and periodicals published by them :—

1	2	3	4	
			Publications thereat.	
District.	Name of press	Name of proprietor.	a Newspapers.	b Periodicals.

Appropriation of Government translations of Acts by private presses.
Circular No. 25, dated 1st March 1878 (Rev.).

Proprietors of vernacular presses are at liberty to make whatever use they may deem proper of Government translations, as published in the *North-Western-Provinces and Oudh Urdu Gazette*, of Acts of the Legislative Council.

The Government Press will print only very few more copies of Acts of the Legislative Council than may be absolutely required for the use of Courts of Justice and public offices, the requirements of the public being left to be met by the enterprise of private presses.

Vernacular newspapers.
Better control of—
Circular No. 25, dated 8th April 1878.
Circular No. $\frac{2269}{580B}$ dated 12th August 1892.

It is part of the duty of all Magistrates and Deputy Commissioners to keep themselves fully cognizant of the tone of the vernacular papers, &c., published in their districts.

All Magistrates and Deputy Commissioners are authorized to purchase one copy of each vernacular newspaper published in their respective districts, but the purchase should be effected through the Superintendent of Stationery, Calcutta. The expenditure incurred on this account is adjusted by the Superintendent in the manner prescribed in rule IV of the Government of India Resolution No. 5,967, dated the 1st November 1888, printed at pages 3 and 4 Department XII of the Manual of Government Orders, Volume II.

District officers should see that all the provisions of Act XXV of 1867 are scrupulously attended to by the printers and publishers of vernacular papers. Any cases of non-observance should be at once reported to Government.

Circular No. 65, dated 4th June 1879.

Although Acts IX and XVI of 1878 (for the better control of publications in oriental languages) have been repealed, Magistrates of districts should continue to scrutinize the vernacular papers published in their districts and to bring to the immediate notice of Government through the Commissioner of the division anything demanding attention. With this view Magistrates have been authorized to subscribe for one copy of each vernacular paper published in their districts.

Vernacular papers. Subcription to—.
No 1846, dated 25th May 1882.

PUBLIC BUILDINGS.

Correspondence regarding public buildings dealt with departmentally.
Circular No. $\frac{489}{II-149}$, dated 5th August 1884.

It is explained that the public buildings referred to in Circular No. $\frac{85}{III-149}$, dated 16th April 1884, are only those of which the Government is the provincial head. As, under existing orders, heads of departments communicate with the Government on the subject of the public buildings belonging to their respective departments, such correspondence will, for administrative purposes, be dealt with departmentally in future, and should be addressed to the Secretary of the department concerned (*e. g.*, correspondence about judicial and jail buildings should be forwarded to the Secretary in the Judicial Department; about revenue buildings to the Secretary in the Revenue Department, and so on.

Fire. Rule as to reporting occurrences of—.
G. O. No. 2577, dated 27th July 1882.

Immediately on the occurrence of a fire in any public building, whether imperial, provincial or local, the department concerned should at once inform the police, who will forward a special report to the Magistrate of the district.

Office Memo. No. $\frac{555}{III-367}$ dated 22nd August 1884.

The Magistrate of the district should at once report to the Executive Engineer of the division.

PUBLIC OFFICERS.

THE head of a department, or Magistrate of a district, may grant to an officer under orders of transfer an advance not exceeding one month's pay, and also not exceeding the amount of expenditure which he is likely to incur by reason of his transfer. Such an advance should be notified upon the officer's last-pay certificate, and recovered from the salary of the officer in three equal instalments.

Advance to officers on transfer.
G. G. O No. 1075, dated 9th March 1881, and Circular No. 30, dated 16th May 1881.

OFFICERS of Government are prohibited from accepting the office of arbitrator in any civil action without the permission of the Government being first obtained. In any application for such permission the circumstances of the case and the names of the parties must be stated, and the special reasons which may have led the officer to entertain a request for his services as an arbitrator must be specified.

Arbitrators. Condition of appointment as—
G. O No. 222A, dated 12th September 1862 [Judicial (Civil)].

Subject to the following rules public officers may act as arbitrators for the settlement of disputes :—

Home Department No. 544, dated 12th February *1873*.

(1) An officer shall not act as arbitrator in any case without the sanction of his immediate superior, or unless he be directed so to act by a court having authority to appoint an arbitrator.

(2) No public officer shall act as an arbitrator in any case which is likely to come before him in any shape in virtue of any judicial or executive office which he may be holding.

(3) If an officer act as arbitrator at the private request of disputants, he shall accept no fees

(4) If he act by appointment of a court of law, he may accept such fees as the court may fix.

ON occasions of State ceremonial or when a rapid or long official journey has to be made exceeding the capabilities of a reasonable private establishment, and when no other means of locomotion are available, officers of the Government may occasionally avail themselves of the proffered assistance of native gentlemen or of the resources of estates under their charge. This procedure should, however, be resorted to as seldom as possible, and only under circumstances in which one English gentleman would accept similar civilities from another without incurring an inconvenient obligation.

Borrowing of horses and carriages by officials
Circular No. $\frac{3/2}{III-74A}$, dated 7th April 1880.

The use by Government officials of conveyances and horses belonging to native gentlemen, or to private estates under the charge of the officers of the Government, is prohibited, except under the conditions explained above.

Borrowing of money from natives by—.
Circular No. 34A, dated 16th January 1860. No 717A, dated 2nd June 1860, and No 414A, dated 17th November 1860.

THE practice of Government officials overdrawing their accounts with native bankers and other persons residing or carrying on business within the limits of their jurisdiction is entirely opposed to the orders of the Government, and is expressly prohibited by section 3, Regulation VII, 1828, of the Bengal Code, which says [illegible] l city courts, all Magistrates, Joint [illegible] Assistants to Magistrates, all Colle[illegible] the Land Revenue, all Assistants to such Collectors or other officers exercising the powers of such Collectors are prohibited, under pain of dismissal from office, from borrowing money or i[illegible] zamindár, talukdár, ryot, or other [illegible] or residing in or having any com[illegible] city, district or division to which [illegible]

Officers politically employed are prohibited from borrowing money of, or lending money to, any natives of India resident within their respective political circles.

Any infraction of these orders by any officer of Government employed in any civil or political capacity in any part of India, whether by overdrawing accounts with bankers or in any other way, will meet with the severe displeasure of the Government.

Residents, Agents, Commissioners and other controlling officers will be held responsible for checking *any* departure from the *strict* letter of this order on the part of their subordinates.

This order as it stands applies to all officers of Government, whether covenanted or uncovenanted, except clerks; and the spirit of the order applies to them also, and even they should not be allowed to incur debt to persons from whom the heads of their offices are forbidden to borrow.

Government of India, Home Department, Resolution No 637, dated 10th March 1888.

The Governor-General in Council is pleased to direct that the following rules shall be strictly observed in future :—

All Covenanted Civil Servants, Statutory Civilians, Uncovenanted Officers who hold gazetted appointments, and Military Officer in civil employ are prohibited, under pain of dismissal, from taking loans from or otherwise placing themselves under pecuniary obligations to persons subject to the official authority or influence of such Government officers, or residing, possessing property, or carrying on business within the local limits for which such Government officers are appointed.

This prohibition does not extend to transactions in the ordinary course of business with joint stock banks and British firms.

As regards trading and lending or borrowing money, members of the Native Civil Service are under the same rules as Covenanted Civil Servants generally. The rules upon these subjects, which at present apply to members of the Covenanted Civil Service, apply also to natives of India appointed to the Civil Service under the provisions of 33 Victoria, Chapter III, section 6.

Trading and money lending by Native Civil Servants.
Home Department Notification No. $\frac{11}{426\text{-}37}$, dated the 17th March 1882.

His Excellency in Council is pleased to direct that the rules in [illegible] of 1793, on the subject of lending [illegible] to any proprietor or farmer of [illegible]er farmer, or raiyat or their sureties, which apply to Covenanted Civil Servants and were extended by Government of India, Home Department, Resolution of the 17th March 1882 above, to the members of the Statutory Civil Service, shall be extended to all Uncovenanted Officers in the subordinate executive and judicial services of the Government. Such officers are hereby prohibited from lending money at interest, whether directly or through relatives or other agents, to landholders, with or without security, within the province in which they are employed.

Uncovenanted Officers prohibited from lending money.
Home Department Resolution No. $\frac{2A}{87\text{-}103}$, dated 16th January 1890, and G O No. $\frac{120}{III\ 837A}$, dated 30th January 1890.

In Home Department Resolution No. 100, dated the 12th January 1856, heads of offices having establishments in the pay of Government were directed to impress upon their subordinates the discredit attaching to a resort to the Insolvent Court, and to warn them that such a proceeding would be considered as of itself constituting a sufficient cause for exclusion from the public service, unless it should appear that the embarrassments of the insolvent had been the result of unforeseen misfortunes, or of circumstances over which he could exercise no control, and had not proceeded from dissipated and extravagant habits By a circular Memorandum, No. 67-2816 to 2821, dated the 19th November 1874, heads of departments under the Government of India were requested to hold the Registrar or head of the office responsible for reporting to the Secretary in charge or to the chief of the department the insolvency of clerks or other assistants.

Indebtedness of Government officials.
India's No $\frac{2}{71\text{-}102}$, dated 20th January 1884.

As there is reason to believe that the operation of these orders has to some extent been lost sight of, the Governor-General in Council in reproducing them desires to direct the attention of all Local Governments and heads of departments to the imperative duty which devolves upon them of taking severe notice of the misconduct of clerks and other employés, who allow themselves to fall into embarrassed circumstances. It is no valid excuse for hopeless indebtedness to show that it has been caused by standing

security for friends, the plea which is frequently put forward in such cases. Assistants in Government offices should clearly understand that, if they voluntarily contract debts or obligations which they are unable to meet, they render themselves liable to summary dismissal.

Immovable property. Report of registration of deeds of transfer of —by Government servants.

G. O. No. $\frac{784}{VII-306B}$, dated 13th September 1890.

REGISTRARS and Sub-Registrars should report to the Inspector-General of Registration, North-Western Provinces and Oudh, for communication to Government, all cases of the registration of deeds of transfer of immovable property to which Government servants may be parties.

Land. Acquisition of—by—

Home Department No. $\frac{21}{800}$ dated 13th May 1885.

THE following is a brief summary of the existing rules and of the more important interpretations which have been placed upon certain of them by the Government of India with the approval of Her Majesty's Secretary of State:—

Acquisition and possession of landed property intended to be applied to agricultural purpose

Covenanted Civil Servants, Military Officers in civil employ, and all persons holding civil offices ordinarily held by covenanted or commissioned officers of the two classes above mentioned are prohibited from acquiring or holding land within the province in which they are employed or with the administration of which they are concerned, whether that connection be permanent or temporary.* This prohibition does not extend to land occupied merely by buildings for residence and their usual appurtenances.

* To Secretary of State, No 40, dated 16th June 1873; from Secretary of State, No. 99, dated 26th August 1873 (embodied in Home Department Resolution No 13-467, dated 13th February 1874).

Natives of India who are appointed under the Statutory Rules or who enter the Indian Civil Service by competition in England* are permitted to hold any lands actually in their possession when they enter the service of

respect of such lands is given to the Local Government, which will consider in each case whether the fact of an officer holding any particular lands need be a bar to his employment in the district where these are situated. No fresh purchase of land is, however, allowed on the part of a Statutory Civil Servant without the previous sanction of the Local Government under which he is serving. §

* Home Department No $\frac{19}{1164}$ Public, dated 14th June 1890.

† i.e., *bonâ fide* gifts from relatives or near friends.

‡ Home Department Resolution No 11—426-37, dated 17th March 1882, and circular letter Nos. 26—1095-1104, dated 21st July 1882.

§ (Despatch from Secretary of State, No 68, dated 8th June 1882.)

Uncovenanted officers exercising independent judicial or revenue functions, whether of European, Eurasian or native descent, are not debarred from acquiring or possessing landed property in British India for agricultural purposes, provided that they must not hold landed property in the districts in which they are employed. Although uncovenanted officers are not precluded from holding land, it is inexpedient that appointments which necessarily confer a considerable amount of power and influence on their occupants, such as those of Munsif, Deputy Collector and Tahsíldár, should be filled by persons holding landed property within their jurisdiction.*

* Despatch from Secretary of State, No 22, dated 10th August 1861.

Officers of all classes (including candidates for office) must be required to make a declaration of the fact of their being or of their having acquired landed property, stating the district within which it is situated, with such other particulars as may be considered necessary, of which registers should be kept by the Local Governments concerned.*

* Despatch from Secretary of State, No. 22, dated 10th August 1861.

In future, similar particulars must be given of property held by and managed by wives of officers or other members of their families living with, and in any way dependent on, them; and the management of such property shall be subject to the same restrictions as that of property belonging to themselves. (Home Department No. $\frac{33}{2408}$, dated 11th September 1888.)

It is incumbent on the several Local Governments to take care that no officer who may be in possession of landed property in British India or elsewhere, to whatever branch of the service he may belong, shall apply any portion of the time and attention which ought to be devoted to his public duties, whether civil or military, to the management of that property, and that longer or more frequent leaves of absence are not permitted on that account †

† *Idem.*

Acquisition and possession of landed property in Native States for any purpose

Civil Servants and Military Officers in the actual service of the Crown in India are prohibited from holding lands in a Native State for any purpose whatever. This prohibition does not extend to land occupied merely by buildings for residence and their usual appurtenances.

Medical officers in civil employ may not acquire and hold land for agricultural purposes in the district in which they may hold such employ.

Home Department Notification No 6872 dated 2nd December 1862.
Home Department Notification No 457, dated 13th February 1874.

Resolution No. 1252A, dated 17th September 1870 (Revenue), and G. O. No. 1662A, dated 6th September 1864 (Judicial).

The purchase or acquisition by a public officer, in any other manner than by inheritance, of landed property, or of any interest in land within the limits of the district in which he serves, will subject him to dismissal. Immediate report must be made of acquisition of land or interest in land by inheritance for the orders of the superior authority of the department in which they are employed. These orders do not apply to ground purchased or acquired for the purposes of residence and of gardening or other recreation. All such cases are, however, to be also immediately reported for the information of the local superior officer.

(Oudh only).
Digest, paragraph 461, clauses 2 and 3.

Whenever an application is received from any uncovenanted servant of Government for permission to purchase lands situated within the district in which such servant may be employed, intimation is at once to be given to the Chief Commissioner through the Commissioner. Possession will not be given without the Chief Commissioner's express sanction, so long as the applicant continues in the district in which the land applied for is situated.

Ordinarily arrangements will be made for transferring such officers to another district or province.

Landed property held by officers. Registers of—to be maintained.

G.O. No. $\frac{720}{I-42}$, dated 7th May 1890 (Revenue Department).

The following instructions are issued for the preparation and maintenance of registers of landed property held by all officers in the superior service of Government—

At present registers of Deputy Collectors holding landed property are maintained in the Secretariat office from returns furnished annually by Commissioners.

Under a Resolution by the Government of India, Home Department, No. $\frac{10R}{637-646}$, dated 14th March 1890, it has been directed that the rule which requires the registration in the public offices of all possession or acquisition of land by public officers (paragraph 5, Home Department letter No. 21, dated 13th May 1885), shall hereafter apply to all officers in superior service. Superior service is all service on pay exceeding Rs. 10 per mensem. In view of this extension in the scope of the standing orders, it will no longer be possible for all these registers to be maintained in the Secretariat, and it has been decided that the register shall be kept up, in the form appended to this letter, by certain heads of departments, Commissioners of Divisions, and District Judges for the officials detailed below:—

By the Board of Revenue ...	For Tahsildárs in the North-Western Provinces and Oudh.
" the High Court ...	For Subordinate Judges and Munsifs, North-Western Provinces.

By the Judicial Commissioner, Oudh.	For Subordinate Judges and Munsifs, Oudh.
„ the Inspector-General of Police.	For police officers, superior and subordinate, and their establishments.
„ the Commissioner of Excise and Stamps and Inspector-General of Registration.	For establishments in the Excise, Stamps and Registration Departments.
„ the Inspector-General of Civil Hospitals.	For medical officers and their establishments
„ the Inspector-General of Prisons.	For jail officers and their establishments.
„ the Director of Public Instruction.	For educational officers and their establishments.
„ the Director, Land Records and Agriculture.	For officers of the Agricultural Department, including kanúngos.
„ the Sanitary Commissioner.	For sanitary officers and their establishments.
„ the Conservators of Forests.	For forest officers and their establishments.
„ the Commissioners of Division.	For their own establishments and those of Collectors and Deputy Commissioners.
„ the District Judges, North-Western Provinces.	For their own establishments and those of Subordinate Judges and Munsifs, North-Western Provinces.
„ the ditto ditto, Oudh ...	For ditto ditto, Oudh.

register will be kept up of Divisions in which this class of officers, all the particulars required by paragraph 3 of Home Department 1891, an register test. The returns formerly submitted by the Board of Revenue, the High Court, the Judicial Commissioner, and the Inspector-General of Police are no longer required.

Return showing interest in agricultural land held by officers in superior service in the North-Western Provinces and Oudh.

1	2	3	4		5	6	7	8	9
Number.	Name.	Appointment.	*Land held in*		Area in acres.	Acquired or ancestral.	Annual revenue.	Estimated value.	Remarks.
			District	Pargana.					
					A. r. p.		Rs.	Rs.	

Rules for loan of—to Native States, municipalities, &c.—Notification No. 1006/III—681-A, dated 15th May 1889.

It having been brought to notice that an officer was under the [illegible] to a company he was at [illegible] remuneration, and that [illegible] service he was not bound by the rules prohibiting Government officers from speculating or investing in commercial undertakings in the districts where they were employed, Her Majesty's Secretary of State for India, in his Despatch No. 16, dated 7th February 1889, deemed it desirable that the rules concerning the loan of Government officers to Native States, municipalities, and railway or other companies, should be so modified as to make it clear—

(1) that the officers lent shall receive only the remuneration agreed upon or sanctioned by the Government of India in their behalf;

(2) that the officers so lent remain, while on outside service, subject to the general and disciplinary rules which apply to officers on active Government service.

Official information. Not to communicate—North-Western Provinces order of 25th March 1847.

It is contrary to the duty of every officer, civil or military, to make public or to communicate to individuals, without the previous sanction of Government, any document, papers or information of which he may have become possessed in his official capacity.

Government of India Circular dated 11th January 1859 (Home Department). G. G. O. No. 70, dated 11th August 1860.

The above applies as much to printed official papers as to those copied by hand, and especially to communications to newspapers.

No official papers should be sent to individuals or public bodies in England, except through the India Office.

Pecuniary arrangements in connection with resignation.
Government of India, Notification No. 216 dated 9th September 1842, and No. $\frac{55}{1867}$ dated 29th December 1883.
G. O. No 227, dated 22nd January 1884.

CIVIL and military servants of the Government are prohibited from entering into pecuniary arrangements with members of the service or department to which they belong in connection with the resignation of any appointment held by them. On proof of any appointment, civil or military, having been resigned under such circumstances, the nomination consequent on such resignation will be cancelled, and the violation of orders severely visited on the offender.

Private purchases. Employment of—in making—.
Government of India's No. 121, dated 16th January 1873.

PUBLIC officers are reminded that the employment of public servants in making purchases, or in any private matter in which receipt or expenditure of money is concerned, is most strictly prohibited, and that every breach of this order which is brought to the notice of Government will be severely dealt with.

Government of India Resolution No 685, dated 22nd May 1873

It is not intended that the prohibition contained in the resolution above cited should preclude officers from employing public servants to procure for them conveyance or necessary supplies while they are travelling upon duty, though in all such transactions constant vigilance is needed to prevent cheating and extortion. But a recent case has compelled the Government of India to repeat with emphasis the standing order against employing public servants in any private business, more specially in any private bargain or money matter. His Excellency in Council believes that the distinction is patent, and that the wording of the resolution thus interpreted cannot in practice interfere with administrative exigencies.

Public meetings. Rules relating to attending—.
India, Home Department No $\frac{11}{682}$, dated 18th March 1890, and G O. No $\frac{575}{III\text{-}94\text{A}}$, dated 22nd April 1890.

HIS Excellency the Governor-General in Council desires that the follo[illegible]

[illegible] at a political meeting where the fact of his presence is likely to be misconstrued or to impair his usefulness as an official.

(b) No officer of Government may take part in the proceedings of a political meeting, or in organizing or promoting a [illegible]

(c) I[illegible] whether any action [illegible]ntravene the terms of this order, the matter should be referred to the head of the department or district, and, if necessary, to the Local Government or Administration.

Public press. Connection of—with the—.
G. G. O. No. 19 1134 (Home Department), dated 5th July 1875.

No officer in the service of Government is permitted, without the previous sanction, in writing, of the Government under which he immediately serves, to become the proprietor, either in whole or in part, of any newspaper or periodical publication, or to edit or manage any such newspaper or publication.

Such sanction will only be given in the case of newspapers or publications mainly devoted to the discussion of topics not of a political character, such, for instance, as art, science or literature. The sanction will be liable to be withdrawn at the discretion of the Government.

Government of India No. $\frac{30}{1270}$, dated 16th August 1884.

G. O No $\frac{584}{III-376}$, dated 1st September 1884.

Officers in the service of Government are not prohibited from contributing to the public press, but their position makes it incumbent upon them to confine themselves within the limits of temperate and reasonable discussion, and they are prohibited from making public, without the previous sanction of Government, any documents, papers or information of which they may become possessed in their official capacity. (The communications so prohibited are not confined to matter still under discussion, but include also the unauthorized disclosure of matter finally decided on, but as to which the manner and the time of publication may not be less important than the matter itself.) In case of a departure from these rules, or if the Government should consider the connection of any officer with the press to be contrary to the public interests, his liberty to contribute will be withdrawn.

The Government of India will decide in case of doubt whether any engagements of officers with the press are consistent with the discharge of their duties to the Government.

Nothing in this resolution is intended to relax the provisions of any regulations on this subject which now apply to the army.

Public Press. Connection of officers with the—

G. O. No. $\frac{1995}{III-788A}$, dated 17th September 1889.

No officer attached to any Secretariat of the Local Government, or to any of its connected offices, shall in future become the accredited correspondent of any newspaper without the permission, in writing, of the Chief Secretary to Government, as well as that of the head of the office in which he is serving.

Speculation by—

India's No. 3121, dated 28th August 1872.

As a general rule, there is no objection to servants of Government holding shares in mining or other companies having for their object the development of the resources of the country. It is a necessary restriction that public servants shall take no part in the management of such institutions and shall not be employed in the districts where the operations of the company may be carried on. Speculation in the public funds, or in the shares of joint stock companies, is prohibited to public servants in India; and the Government is empowered to mark its sense of such conduct either by withholding promotion or in any other way it may deem fit.

Home Department No. $\frac{21}{800}$, dated 13th May 1885.

Speculation generally.

It is a standing order that servants of Government are required to abstain from speculative investments, but no

a grant of land supposed to be auriferous with the object of disposing of it hereafter to companies. Habitual speculation by officials has been always held to be an evil; and the Government has reserved* to itself full power to deal stringently with the practice whenever it appears to prevail. The general distinction which exists between permanent and speculative investments is sufficiently described in the extract given in the margin† from Home Department letter to the Government of Bengal, No 1495, dated 10th April 1873.

* Paragraph 7 of Despatch to Secretary of State, No. 40, dated 10th June 1873

Despatch from Secretary of State, No 99, dated 20th August 1873.

† The Government of India consider that there exists an essential difference between permanent and speculative investments; that the distinction

favourable remark, so that his integrity or his application to his public duties is discussed and doubted, then he has given rise to a scandal with which the Government will have to deal.

Suits in which public servants are interested. No. 184, dated 14th October 1870.

When in any suit or miscellaneous judicial proceeding any person interested therein is described as, or is ascertained to be, a public servant, the presiding judicial officer should, after giving his decision, inform the chief executive officer in the district of the department to which such public servant belongs, of any circumstances in the case affecting personally the public servant mentioned.

Connection with companies. India, Home Department, No. 11, dated July 18..

No officer holding a permanent appointment under Government, whether pensionable or not, is permitted to serve as a Director of any Bank or Public Company without the previous sanction of the Secretary of State for India.

The Secretary of State has been pleased to modify the above rules so as to permit the Solicitor to Government at Calcutta, the Solicitor to serve as in no way agonistic to extended to Prosecutors and Coroners.

Investments by officials.
Home Department No. $\frac{21}{800}$, dated 13th May 1885.

Investments other than those in land for the profits of cultivation

WITH regard to investments other than those in land for the profits of cultivation, officers of every rank and class in the public service are expected to abstain from any investment (though of itself unobjectionable) which interests them privately in affairs or undertakings of the kind with which their public duty is connected. *Subject to this general proviso, there is no objection to Government† servants holding shares in mining or other companies (including agricultural companies) having for their object the development of the resources of the country, provided that they must not take part in the management of any such company, and that they must not be employed in the districts where the operations ‡ of the company with which they may be connected are carried on. § This latter prohibition must be held to apply sometimes with less, sometimes with greater, force to certain officers connected with the central administration, such as Members of the Local Government, Members of the Board of Revenue, and their Secretaries; and to indicate the necessity of great circumspection on the part of such officers as to the undertakings with which they become connected in any part of the province in which they are employed.‖

* Paragraph 6 of Despatch from the Government of India to Secretary of State, No. 40, dated 16th June 1873; Despatch from Secretary of State, No 99, dated 25th August 1873, and Home Department Resolution No 134-67, dated 13th February 1874.

† The Secretary of State has held (a) that the standing orders as to the connection of Government officers with trading companies apply only to gazetted officers of the Covenanted and Uncovenanted Services, and do not apply in the case of clerks and other ministerial officers in Government employ, with regard to whom the supervision of heads of departments should suffice as a check.

(a) Despatch No 73, dated 19th July 1883, para. 5.

‡ N B —The [illegible] companies within British territory. Despatch from Secretary of State No 22, dated the 25th November 1862, paragraph 5.

§ Despatch from Secretary of State, No 46, dated 31st May 1862.

‖ To Madras Government, No. 1086, dated 10th July 1884.

In the matter of taking part in the management of a company, it has been decided¶ that the prohibition was not intended to apply to the participation of Government officers in the direction of those companies only which are designed to develop the resources of the country, but also to preclude such officers from taking part in the direction of such institutions as banks.** It has also been held that the prohibition against officers taking part in

¶ Despatch from Secretary of State, No 73, dated 19th July 1883, paragraph 4.

** Paragraph of Despatch from Secretary of State, No. 73, dated the 19th July 1883.

†† From Secretary of State, No. 99, dated 7th September 1882.

‡‡ Resolution of the Public Works Department, Nos. 1650-1672G., dated 14th December 1882.

* Despatch from Secretary of State, No. 73, dated 19th July 1883.

the management of a company applies†† to public servants on leave equally with those in active service, but that it does not extend‡‡ to officers who, with the consent of the Government of India, take service under railway companies working under concessions from Government, nor does it apply to the management* of Associations which are established *boná fide* for the purpose of mutual supply and not of trade and trade profit (provided in this latter case that the interests of Government do not suffer by the double employment of the officer concerned). Although the prohibition against taking part in the "management" of a company cannot, taken literally, be held to debar an officer from taking part as a promoter or as one of the applicants for registration in the memorandum of association, the Governor-General in Council has held that the danger against which the prohibition was aimed, namely, that of official influence being abused or official trust betrayed, is, under such circumstances, not much less than if the officer took part in the management after the company has been started. Government servants are therefore distinctly forbidden to take any part in the promotion or registration of companies.

India's No. $\frac{37}{214}$, *et seq.*

THE standing orders as to the connection of Government officers with trading companies apply only to gazetted officers of the Government of the covenanted and uncovenanted services, and do not apply in the case of clerks and other ministerial officers in Government employ. It is sufficient to see that they give to Government the whole of the time for which they are paid, and do not involve themselves in pecuniary difficulties or disreputable associations. The supervision of heads of departments will in , it is always at the discretion of a employment which in its opinion , should undertake.

Supply of carriage to—for tours.

G. O. No. $\frac{1541}{III—758A}$, dated 5th December 1884.

IN the rules for the supply of carriage to troops Manual of Government Orders, Department III, page 6, it is laid down that a uniform rate of 7 annas a day for each bullock employed shall be paid from the date on which the carriage is engaged to the date of its discharge, both inclusive, and that full hire should be charged for halts. The same rule should be observed when carriage is collected through the tahsíldár for the carriage of the baggage of civil officers on tour, for the despatch of treasure or other public service.

Many civil officers arrange without the intervention of any official agency to hire carts by the month during the tour season. Such arrangements need not be interfered with: it would be well if they were generally adopted; but Collectors and Commissioners of divisions should satisfy themselves that cartmen employed by civil officers to carry baggage by stages are paid, from the date of their engagement to the date of their discharge, at full rates. If anywhere there is a practice of paying only half rates between the date of engagement and the date of actual marching the practice should be abandoned. This practice is unfair, for carts detained are prevented from earning a full wage from the date of their detention, and it is not possible for the cartmen to keep themselves and their cattle in good condition on half rates.

Every precaution should be taken to ensure that coolies and artizans who are called on to work for civil departments are paid at the full market wages of labour current at the place at which they are engaged.

Supply of provisions to—on tour.

G. O. No. $\frac{600}{\text{III—648B}}$, dated 18th June 1894.

Every Collector should at the beginning of the tour season issue instructions to his tahsíldárs to regulate the collection and furnishing of supplies to the camps of civil officers on tour. A copy of these instructions should be given to all officers in charge of camps in the district. Commissioners in the course of their cold weather tours should see that proper instructions are issued by Collectors and that supplies are paid for. A careful and considerate Collector hardly require[illegible]
ernment looks confidently to its [illegible]
all kinds. It is not proposed to is[illegible]
applicable to the entire province, but the instructions issued by Collectors should conform to the following general principles:—

(1) Officers in charge of camps should inform the Collector, or if they are officers of the district staff, the tahsíldár, of the number of persons belonging to their camp, and should not permit persons who have no duty in the camp to accompany it.

(2) Indents are not required for ordinary articles of food, flour, grain, sugar stuffs, oil, tobacco, which are sold by shopkeepers, and the consumption of which can be estimated by the tahsíldár. For the sale of such articles a shop will be opened in the camp: but no bania should be required to open a camp shop at a place where there is a bazár, nor should a camp shop be kept open after sunset. No purchases at a camp shop should be permitted except for ready money. When a camp is large it may be possible to follow the practice in the Tarái district, namely, to get a bania to go with the camp and supply it at fixed rates, making his own arrangements for the supplies.

(3) If eggs, milk, vegetables or other perishable articles are required, an indent should be sent to the tahsíldár, as well as for fowls and other articles of food which are not sold in village shops. The quantities indented for should be taken over and paid for on arrival of the camp. If the persons from whom these supplies are obtained cannot be present to receive payment, arrangements must be made for their receiving it.

(4) The labour of carpenters in splitting wood, and of coolies employed in cutting grass, putting up tents, loading carts, or carrying loads, should be paid for. Chaukídárs who watch the camp should always receive at least one anna a night for their services.

(5) The use of metal water vessels will obviate the necessity for earthen vessels, but when earthen vessels are supplied they should be paid for, and the potter himself or one of his family should be encouraged to attend and sell them.

(6) *Wood for fuel and straw for spreading in the tents, for* bedding, for camp followers and as litter for horses are, by the ancient custom of the country, provided free of charge by the landowners. There seems no reason to interfere with a custom sanctioned by immemorial usage, so long as the people concerned do not object to it. Wood has, as a rule, no marketable value in a rural village, and the straw which is used as bedding is not removed. The Collector should fix the amount of straw and wood required according to the size of the camp, and more than the fixed amount should not be supplied. In damp districts more straw and wood are needed than in dry districts. The straw and wood should be provided by the landowners and should not in any case be taken from tenants. If the landholder desires to charge for straw and wood he can do so by informing the tahsíldár previously of his desire.

(7) Fuel will not be supplied free at places where there are wood stores and wood is offered for sale.

or remuneration to be paid for personal service.

REPORTS.

Annual reports. Date for submission of—
Circular No. 20, dated 19th April 1891.

The annexed list of annual reports and returns shows the dates for their submission to Government, which have been fixed after full consideration, so as to allow ample time for the preparation of the reports from the materials furnished by subordinates.

The reporting officer should, after due consideration, fix the dates on which his subordinates should submit their reports, in order that while on the one hand they are not unnecessarily hurried in the preparation of their returns, on the other, he may have sufficient time for the preparation of the departmental report within the period fixed.

These dates, when once laid down, should be strictly observed; and failure on the part of any officer to submit his report on or before the appointed date, should be duly brought to the notice of Government.

List of annual reports and returns submitted by the Government of the North-Western Provinces and Oudh to the Government of India.

Department.	Title of report or return.	Year of report.	By whom submitted.	Date fixed for submission to this Government.
Revenue ...	Report on Inland Emigration for North-Western Provinces and Oudh	Calendar ...	Superintendent of Emigration, N.-W. Provinces and Oudh.	15th January.
Ditto ...	Report on the administration of the *Department of Land Records* and Agriculture, North-Western Provinces and Oudh	Revenue ...	Director, Land Records and Agriculture.	1st February.
Ditto ...	Report on Arboricultural operations North-Western Provinces and Oudh	Official ...	Ditto ditto ...	1st June.
Ditto ...	Return of *mineral concessions* granted during the year in the North-Western Provinces and Oudh	Calendar ...	Prepared in Secretariat ...	15th March.
Ditto ...	Report on the Revenue Administration of the North-Western Provinces and Oudh.	Revenue ..	Board of Revenue ...	Ditto.
Ditto ...	Monograph on Art Industries	Ditto ..	Prepared by a specially selected officer	Ditto.
Ditto ...	Return of Famine Relief Works	Official ...	Commissioners of Divisions and Revenue Department.	1st May.
Ditto ...	Report on estates under the *Court of Wards* in the North-Western Provinces and Oudh	Revenue ...	Board of Revenue	15th May.
Ditto ...	Report on the Botanical Gardens, Sahāranpur ..	Official ...	Director of Land Records and Agriculture.	1st June.
Ditto ...	Report on the Horticultural Gardens, Lucknow	Ditto ...	Ditto ditto ..	Ditto.
Ditto ...	Statement showing alienations of State land authorized in the N.-W. Provinces and Oudh	Financial .	Board of Revenue	15th June.
Ditto ...	Statement illustrative of *tea* cultivation in the North Western Provinces	Calendar ..	Director of Land Records and Agriculture	Ditto.
Ditto ...	Report on the Experimental Farm, Cawnpore ...	Agricultural	Ditto ditto ...	1st July.

List of annual reports and returns submitted by the Government of the North-Western Provinces and Oudh to the Government of India—(continued).

Department.	Title of report or return.	Year of report.	By whom submitted.	Date fixed for submission to this Government.
Revenue ...	Report on the Foreign Trade of the North-Western Provinces and Oudh.	Official ...	Director of Land Records and Agriculture	1st July.
Ditto ...	Return of cotton and Jute Mills worked by steam in the North-Western Provinces and Oudh.	Ditto ...	This return is received by Local Government from the Government of India and forwarded to the Director of Land Records and Agriculture for revision and return by 1st July.	Ditto.
Ditto ...	Return of large industries and ærated water manufactories.	Calendar ...	Ditto ditto ...	Ditto.
Ditto ...	Report by Director of Botanical Department Northern India, on Usar Reserves	Official ...	Director of Land Records and Agriculture.	Ditto.
Ditto ...	Report of the Civil Veterinary Department ...	Ditto ...	Ditto ditto ...	Ditto.
Ditto ...	Report of the Museum, Lucknow	Ditto ...	Ditto ditto ...	15th July.
Ditto ...	Forecast of increase of Revenue to be realized from revisions of settlements.	Ditto ...	Board of Revenue	1st September.
Ditto ...	Annual resumé of the railborne traffic of the North-Western Provinces and Oudh.	Ditto ...	Director of Land Records and Agriculture.	1st October.
Ditto ...	List of agricultural implements found useful in the North Western Provinces and Oudh.	Revenue ...	Ditto ditto ...	7th October.
Ditto ...	Returns of agricultural statistics ...	Agricultural and Revenue	Board of Revenue	15th February & 15th November.
II.—Appointment.	List of Civil Servants who have become eligible for the appointment of Judge of the High Court.	Calendar .	Accountant General ...	31st January.
	Confidential Report on Forests officer ...	Official ...	Conservators of Forests ...	1st July.

III.—General Administration.	Report on the administration of the North-Western Provinces and Oudh.	Ditto ...	Prepared in the Secretariat ...	To be submitted on 15th December to the Government of India.
	Report showing result of measures taken to exterminate wild beasts and snakes in the North-Western Provinces and Oudh	Calendar ..	Commissioners of Divisions ...	1st March.
	Report on the working of the Indian Factories Act.	Ditto ...	Ditto ditto ...	Ditto ...
IV.—Political...	Report on the administration of the Rámpur State ending 30th September.	Revenue ...	Agent, Lieutenant-Governor, for Rámpur (Commissioner of Rohilkhand)	1st January.
Ditto ...	Statement of Afghan refugees	Calendar ...	Commissioners, Allahabad and Meerut	Ditto
Ditto .	Statement of Political and State prisoners (half yearly)	Ditto ..	Commissioners Allahabad, Benares Meerut and Lucknow	7th January and
Ditto .	Return of armaments of Native States ...	Ditto ..	Agents, Lieutenant Governor, for Rámpur and Tehri, (Commissioners of Rohilkhand and Kumaun)	7th July.
Ditto ..	Return of European and East Indian British subjects in the Service of Native States	Ditto	Ditto ditto ..	1st February.
Ditto ...	List of persons holding titles	Ditto ...	All Commissioners of Divisions ...	Ditto.
Ditto ..	Report of the death and burial of any European occurring in Native States.	Ditto .	Agent, Lieutenant Governor, for Rampur and Tehri (Commissioners of Rohilkhand and Kumaun).	Ditto.
Ditto ...	Report on the administration of the Tehri State	Official ..	Agent Lieutenant Governor, for Tehri, (Commissioner, of Kumaun)	15th June.
V.—Medical ..	Report on Dispensaries and Charitable Institutions in the North Western Provinces and Oudh.	Calendar ...	Inspector-General of Civil Hospitals	1st June.
	Report on the Agra Medical School ...	Official ..	Ditto ditto ...	1st July.

List of annual reports and returns submitted by the, Government of the North-Western Provinces and Oudh to the Government of India—(continued).

Department.	Title of report or return.	Year of report.	By whom submitted.	Date fixed for submission to this Government.
VI.—Judicial (Criminal).	Report of the work done by the Chemical Examiner	Calendar ...	Chemical Examiner, N.-W. Provinces and Oudh.	1st February.
	Report on Lunatic Asylums, North-Western Provinces and Oudh.	Ditto ...	Inspector General of Civil Hospitals.	1st March.
	Report on the administration of Jails, North-Western Provinces and Oudh	Ditto ...	Inspector-General of Prisons ...	1st May.
	Statement showing the operations of the European Vagrancy Act.	Ditto ...	Commissioners of Divisions ...	1st February.
	Return of pauper lunatics whose domicile is in Europe.	Official ...	Inspector-General of Civil Hospitals.	Ditto.
	Statement showing the probable number of convicts under sentence of transportation available for despatch to Port Blair during the transpor season.	Ditto ...	Inspector-General of Prisons ...	15th August.
	Report on the administration of Criminal Justice in the North-Western Provinces.	Ditto ...	Registrar, High Court, N.-W. Provinces	Ditto.
	Ditto ditto in Oudh ...	Ditto ...	Judicial Commissioner, Oudh ...	Ditto.
	Report on work done by Legal Remembrancer, North-Western Provinces and Oudh.	Revenue ...	Legal Remembrancer to Government.	15th May.
	Statement showing the recoveries effected in respect of costs in Privy Council appeal cases.	Ditto ...	Ditto ditto ...	20th January.
VII.—Judicial (Civil).	Report on the working of Joint Stock Companies in the North-Western Provinces and Oudh.	Official ...	Inspector-General of Registration.	1st May.
	Report on the administration of the Registration Department, North-Western Provinces and Oudh.	Ditto ...	Ditto Ditto ...	1st August.
	Report on the administration of Civil Justice in the North-Western Provinces in Oudh.	Calendar ...	Registrar, High Court, N.-W. Provinces	15th August.
	Ditto ditto	Ditto ...	Judicial Commissioner, Oudh ...	Ditto.

	Statement showing escheated estates disposed of by the Government, North-Western Provinces and *Oudh*.	Calendar ...	Prepared in the Secretariat ...	At close of the year.
VIII.—Police	Report on the working of the Criminal Tribes Act (XXVII) of 1871.	Official ...	Inspector-General of Police.	1st June.
	Report on the administration of the Police Department, North-Western Provinces and Oudh.	Calendar ...	Ditto ditto ...	1st July.
	Return shewing the strength and armament of the Police	Ditto ...	Ditto ditto ...	15th December.
IX.—Local Self-Government	Report on District Boards	...	Secretary, District Board ...	1st November.
X.—Financial	Statement of extraordinary pensions and gratuities granted under Chapter XXXIV, Civil Service *Regulations*.	Official ...	Prepared in the Secretariat ...	No date fixed.
	List of new political pensions granted and lapses of old pensions.	Ditto ..	Ditto ditto ...	*1st March*.
	Report on Incorporated and Excluded Local Funds	Ditto ..	Accountant General ...	No date fixed.
XI.—Municipal	Reports on Municipalities, North Western Provinces and Oudh.	Ditto ...	Commissioners of Divisions ...	1st June.
XII.—Miscellaneous.	List of scientific, historical and antiquarian works published in the North-Western Provinces and Oudh	Calendar ...	Curator of *Government Books*, N.-W. Provinces and Oudh.	*15th January*.
	Report on publications registered under Act XXV of 1867	Ditto ...	Director of Public Instruction ...	1st March
	Report on the working of the Government Press and Book Depôt.	Ditto ...	Superintendent, Government Press.	1st June.
	Return of expenditure on stores	Official ...	Commissioners of Divisions and Heads of Departments.	31st July.
	Forecast of probable requirements in regard to stores (sent direct to the Secretary of State).	Ditto ...	Commissioners of Divisions and Heads of Departments.	31st July.
	Report on the Batesar Fair	Fair takes place in November.	Commissioner, Agra Division ...	Two months after the end of the Fair.

List of annual report and returns submitted by the Government of the North-Western Provinces and Oudh to the Government of India—(concluded).

Department.	Title of report or return.	Year of report	By whom submitted	Date fixed for submission to this Government.
XIII.—Separate Revenue	Statement of breweries in operation in the North-Western Provinces	Calendar ...	Board of Revenue	1st February.
	Report on Excise Administration, North Western Provinces and Oudh	Revenue ..	Ditto	1st April.
	Returns relating to stamp accounts, North Western Provinces and Oudh, Nos 383 and 384	Official .	Ditto .. .	1st July.
	Report on administration of Stamp Revenue, North-Western Provinces and Oudh.	Ditto ...	Ditto	1st July.
	Report on the working of the Income Tax Act, North-Western Provinces and Oudh	Financial .	Ditto	15th July.
	Statement of Excise Receipts and Charges, North-Western Provinces and Oudh.	Revenue ..	Ditto	15th December.
XIV.—Forests...	Report on Forest Administration, North-Western Provinces and Oudh	Official ...	Conservators of Forests ...	10th July.
XV.—Educational.	Report on progress of education in the North-Western Provinces and Oudh.	Ditto ...	Director of Public Instruction ...	15th September.
XVI.-Sanitation	Sanitary Report North-Western Provinces and Oudh	Calendar ..	Sanitary Commissioner ...	15th May.
	Vaccination Report, North-Western Provinces and Oudh	Ditto ..	Ditto ...	1st July.

Abbreviation of annual reports.
Resolution No. 974A, dated 1st May 1857.

The immediate object of an annual report is to lay before the Government a complete record of the year's operations. The Government during the year has, from time to time, been kept fully informed of most questions requiring its orders, and instructions have been given as their need arose. The report puts before the Lieutenant-Governor little that is new, but brings before him, as a whole, the statistics and facts with which, during the past twelve months, he has dealt singly or in smaller groups. In the limited though important class of questions which cannot be disposed of otherwise than on review of the whole year's experience, a report requires comment from the officers writing it, and instructions from the Government. Comparative analysis and special explanation of abnormal results are, in fact, its only immediate administrative objects, and abnormal results are necessarily few. Accurate facts and figures (so far as in India accuracy may be attained), with concise and intelligent criticism, are what His Honor looks for.

Subordinate reports should invariably be condensed and their substance embodied by the head of the department; extracts only being given where they are absolutely needful to the understanding of the figure tables.

The other main and the principal use which an annual report serves is that of a permanent record. In India, changes of officers are so numerous that the need of such a record is felt to a degree unknown in Europe. It is very essential that there should exist a reliable and easily accessible record of the experience and working of past years, and this the annual reports supply. It is no less essential that the record should be in reasonable compass; in this the annual reports too often fail.

The record of the writer's views on points cognate with the subject-matter of the report, or the introduction of discussions, in themselves useful and possibly interesting, are wholly out of place in annual reports, and are, in the true sense of the word, impertinent.

Criticism of other departmental officers to be avoided in—intended for publication.
Circular No. 1, dated 17th April 1876 (Police).

In the preparation of reports intended for publication, officers should be careful invariably to refrain from the expression of censure or criticism of officers of other departments of the Government. Cases in which such seem called for should be reserved for special and separate report, if it is thought necessary that they should be brought to the notice of Government.

Dating of—.
Circular No. 25, dated 24th March 1873.

In preparing annual reports, the reporting officer should show on the title page the day and the month on which the year of report ends. They should invariably be designated as "for the year ending 31st March 18—, 30th June 18—, 30th September 18—, 31st December 18—," and so on, as the case may be.

Circular No. 23A, dated 15th July 1875, and G. O. No. $\frac{454}{III.-313}$, dated 29th July 1881.

ALL periodical printed reports will bear as final date the day on which the last sheets were sent to the press from the office of the submitting officers; and the date of issue of such reports from the Government Press will be printed on coloured paper and pasted on the first page of the report.

Figures in—Correctness of—.
Circular No. 21, dated 20th April 1881.

THE responsibility for the correctness of all figures in reports submitted to Government rests with the submitting officer, and as soon as a report is printed, he should at once obtain a copy from the Press and have the figures carefully checked in his office, so as to guard against misprints or other errors that may have crept in. In the case of every report it should be certified that this has been done, and the figures found correct, or the necessary corrections made. Where reports are received direct by Government from the Press, the result of the checking should be communicated separately with as little delay as possible.

ROYAL HUMANE SOCIETY.

It is requested that any representation which any officer of Government may wish to make in his official capacity to the English Royal Humane Society, with reference to the grant of the Society's medals and certificates, may in future be forwarded through the Local Government to Her Majesty's Secretary of State for transmission to the Society. The practice of forwarding such applications direct to the Society should be discontinued.

Medals and certificates. Channel of applications for—
Home Department No. $\frac{26}{1143}$, dated 6th July 1885.

All applications of this kind will be submitted by Local Governments through the Government of India.

Home Department Nos 524-30, dated 5th March 1888.

RUMOURS.

Rumours. Giving publicity to—.
Circular No 25A., dated 30th May 1867.

It should be a rule with all authorities that no information calculated to give alarm should be passed on without due consideration of its nature, character and probable credibility, and without such information being placed in a clear and distinct manner before the authority for whom the communication is intended.

SHOOTING PASSES.

The following rules are issued by His Excellency the Commander-in-Chief in India for regulating the grant of shooting passes to British soldiers (paragraphs 749 to 751C, Army Regulations, India, Volume II).

Shooting passes Procedure in connection with the grant of—to soldiers.

Government Order No $\frac{1285-1342}{III-457A}$, dated 8th *August 1891.*

Commissioners of divisions and Magistrates of districts, on receiving intimation of shooting passes having been granted to soldiers, should at once communicate the fact to local subordinate officials in the tracts to be visited. Villagers should also be told to make their complaints, in all cases where soldiers infringe these rules, to the Magistrate or local official empowered to receive them, instead of taking the law into their own hands. The rules should be explained to villagers in the neighbourhood of cantonments.

Rules relating to the grant of shooting passes to British soldiers (paragraphs 749 to 751C, Army Regulations, India, Volume II).

Passes for shooting purposes are only to be granted to steady, well-conducted men, who are known to be competent to handle a gun.

Passes to be given only to trustworthy men.

2. Not less than three men should go out shooting together.

Strength of shooting party.

3. At least one of the party should have sufficient acquaintance with the language to be able to converse with the inhabitants

A knowledge of colloquial indispensable.

4 Men out shooting are to keep together as much as possible, and not to separate into parties of less than three,

Shooting party to keep together.

5 On no account is any member of a shooting party to address or enter into conversation with native women.

Native women.

6. Soldiers are prohibited from entering any village, house, temple, mosque or enclosure, or from shooting within 500 yards of them.

Villages, &c., also enclosures, to be avoided

7. They are forbidden to trespass upon, or shoot over, crops, to molest dogs or any of the animals and birds referred to in paras. 11 and 12

Crops to be avoided, and dogs and protected birds and animals not to be molested.

8, Shooting under any circumstances at night is forbidden.

Shooting at night prohibited.

9. Shooting with ball is strictly prohibited, except in forests or rukhs or in thinly-populated tracts at a distance from cantonments.

Shooting with ball prohibited, except in certain localities.

10. Officers commanding stations will communicate with the civil authorities, in order to ascertain in what tracts of country shooting should be forbidden, either on account of the sacredness of the localities or for other reasons.

Forbidden ground to be ascertained from civil authorities.

11. The civil authorities should also be asked to give a list of such animals and birds as are looked upon as sacred by the inhabitants.

Protected game to be ascertained from civil authorities.

12. A li[illegible] each barrack room, giving the n[illegible] forbidden, and of the bird[illegible]

List of forbidden grounds and protected game to be hung up in barrack rooms.

Procedure to be followed when passes for over three days are granted.

13. When shooting passes extending over three days are granted to non-commissioned officers or men, the Commanding Officer will send to the Magistrate of the district, or in the case of soldiers obtaining passes to districts other than that in which the regiment they belong to is quartered for the time being, then to the Magistrate of the district to which the men are about to proceed, a notice stating the rank and names of the party, and as nearly as possible the part of the district to which they are going.

Passes to be granted only for proper shooting localities

14. Care should be taken that passes are only given for localities where shooting can properly be pursued.

Rules to be read to men receiving passes.

15. Paragraphs 1 to 9 will be read to every man to whom a shooting pass is granted; and it will be ascertained that he is aware of the localities that he is prohibited from visiting, and of the animals and birds whose killing is forbidden.

Breaches of rules to be punished.

16. Any non-commissioned officer or soldier found shooting without a pass or disobeying these rules will be severely punished and deprived of the privilege of shooting during the remainder of his Indian service. In the event of an affray with natives arising from disregard of the rules or of injury to person or property being caused by the reckless or inadvertent use of firearms by soldiers, all shooting passes will, if the actual offenders cannot be identified, be prohibited for one year in the corps or, at the discretion of the General Officer Commanding, in the district to which they belong. The prohibition, with a short statement of the circumstances, will in each case be published in District Orders, and reported for the information of the Commander-in-Chief and the Government of India.

Passes not to extend over fourteen days.

17. Shooting passes to non-commissioned officers and men are not to be given for more than fourteen days at a time.

By whom they may be given.

18. They may be give[illegible]
which the men belong, or, [illegible]
out of the district, by the [illegible]
they may be attached for the time being (*vide* paragraph 1685A, Army Regulations, India, Volume II).

Rules for close season not to be infringed.

19. Officers granting shooting passes will take care that all rules in force regarding the close season of the district concerned are explained to the men, who must be cautioned not to infringe them.

Procedure to be observed to avoid issue of passes for sickly or other undesirable localities.

20. Before granting passes to shoot at outstations, Commanding Officers will ascertain that their is no local objection and no unusual sickness in the district.

Government of India, Home Department, No. 26 Pub./1027, dated 14th August 1893.

21. In the case of passes for shooting in Native States the same rules will apply, except that application will be made to the Political Agent or equivalent officer, where existent, for the information required under clauses 10, 11 and 19.

Soldiers marching through Native States will not be permitted to shoot beyond a radius of 10 miles from their camp.

SUBORDINATE OFFICIALS.

Appointment of—.
India's Notification No. 58, dated 31st December 1876.

HEADS of public offices and establishments shall not entertain either clerks or workmen who have quitted other public offices and establishments without making a previous reference to their former employers.

No. 2774, dated 5th November 1851.

Men who have been dismissed for misconduct from one department should not be considered eligible for re-employment in any other.

Apprentices, unpaid.
No 332A, dated 7th April 1879, and No. 1, dated 7th January 1882.

IT is unnecessary to fix the number of apprentices; but the following are the main principles to be observed by Collectors and Deputy Commissioners, the working out of the details being left to them (subject, of course, to revision by the Commissioner of the division on his annual inspection).

Apprentices should not be entertained in the treasury, the record room, or the nazárat: none but fully paid and responsible employés should be allowed admission to these departments—affording, as they do, opportunities for fraud which have more than once been taken advantage of. Nor should they be employed in posts the duty of which is such that if it be not properly performed, embezzlement is thereby rendered possible: *e.g.*, the making up, check and comparison of accounts and other similar duties. In no case, where embezzlement or neglect of orders causing loss to Government is brought to notice, can it be accepted as an excuse that the work had been made over to an apprentice, and this must be clearly understood with regard to all matters entrusted to them. There remain the English office, the establishments attached to the various courts, and what
inary
icient
two,
with
r the
time
strict
officers from entertaining such an apprentice staff as, with the sanction of the Commissioner, they deem advisable.

It must be borne in mind that the main object in allowing the
office; but it is not always easy to replace, even temporarily, an employé whose duties are of a special kind, unless there is available

of any of the officers included in the register, may have clear and strong ground for certifying the peculiar merits and efficiency of such officer when these may not be apparent on the face of the entries—or in which, on giving over charge of the office, he may, from the like nature of the entries, think it just to leave such a record, he will be at liberty to add a note, stating his opinion generally to that effect, and the circumstances on which it is founded; otherwise the record will be only of orders or proceedings actually held in respect to each officer, as occasion may arise.

VII.—All orders of promotion, and of suspension or dismissal will be entered as indicated by the annexed form. Resignations of office connected with no cause of censure on the conduct of the officer may be entered in a separate footnote.

VIII.—If any order, ruled or altered by superi carefully noted by a red ink

IX.—On all occasions of an officer, an extract fr entries, will be attached t and will form a necessar requisite under the established rules, to higher authority.

X.—No officer who has served in one district shall obtain employment in another district without an extract from the character book being filed with the proceeding of appointment; and on his appointment in the new district taking place, the extract will be incorporated in the character book of that district.

Such extract shall be claimable by the officer as of right, and shall be given without expense, under the signature of the head of the office. But the extract shall be complete, so as to comprehend *all* entries, whether of approval or the reverse. The practice of issuing commendatory parwanas or separate certificates of good character in the case of officers is strictly prohibited. Opinions as to peculiar ability and good character may be recorded on the extracts in cases in which they may be thought to be specially called for under the provisions contained in Rule VI.

XI.—It is the duty of Commissioners, on their annual tours, to see that the present rules are regularly and carefully observed by the several officers responsible for their execution.

(FORM.)

Turab Ali is the son of a zamíndár of the district, *vide* letter of to the Collector, dated the . He was appointed peshkar of the tahsíl by Mr. in

In , he was appointed officiating tahsildár of by , and confirmed in the substantive appointment by the Commissioner in his letter No. , dated the . He has landed property in the district.

N.B.—Note (on the page left for that purpose) any relatives employed in the district to which the register relates, and any period of discontinuance of the Government service exceeding six months, with the reason for relinquishing it at the time.

Note.—On this half page enter notices of approbation and reward and orders of promotion.	*Note.*—On this half page enter notices of censure or punishment, including suspension and dismissal.

Educational test for—
G. O. No. 1494, dated 16th July 1877.
G. O. No. 1056, dated 19th March 1883.
Resolution No. 3012, dated 28th August 1883.
Circular No. 27, dated 16th July 1883.
Circular No. $\frac{154}{III-146}$, dated 10th February 1886.

THE following rules, which came into force from the 16th July 1877, apply to all appointments in the Government service, except the following:—

(1) Appointments in the Police Department.

(2) Appointments the salaries of which are not met from—

(a) Imperial Funds.

(b) Provincial Funds.

(c) Incorporated Local Funds.

(3) Appointments to which special departmental rules are already applicable.

(4) Appointments the nominations to which require the sanction of the Lieutenant-Governor and Chief Commissioner.

I.—No person shall receive an appointment in the public service to which a salary of Rs. 10 and upwards is attached, except under the following conditions.

II.—If the office is one in which a knowledge of English is [illegible] f a native, must hold a certificate [illegible] Anglo-Vernacular Departmental [illegible] as second language, and, if a European or Indo-European, of having received a fair educational [illegible] erna- [illegible] must [illegible] cular [illegible]. A [illegible] lered [illegible] Urdu [illegible] indi, [illegible] the form of vernacular required for his work.

G. O. No. 1026, dated 7th April 1885.

THE orders contained in the above circular should be strictly observed. If they are not, it might become necessary for Government to consider whether the Accountant-General should not be desired to instruct treasury officers to stop payment of their salaries to men over 25 years of age whose appointments have not been sanctioned by Government.

Punishment of subordinate officials.
Circular No. 45, dated 13th August 1881; G. O. No. 2276, dated 19th August 1879.

1. IN all cases of punishment other than dismissal, a formal proceeding embodying a statement of the offence or fault, the explanation of the person concerned, and the reasons for punishment, shall invariably be recorded.

2. In all cases of dismissal, the charge against the subordinate official, his defence and the order thereon, should be reduced to writing. In the cases of public servants who are dismissed in consequence of facts or inferences elicited at a judicial trial, or in the case of persons who abscond with an accusation impending, this procedure may be unnecessary or impossible; but in all other cases of the dismissal of public servants it should be strictly observed.

[illegible] ubordinate [illegible] the order [illegible], and the [illegible] would be conducted by the superior officer on the spot, but the officer empowered to pass an order of dismissal should in all cases call for the offending official and give him a hearing before passing the final order of dismissal.

4. If the offence punished by dismissal or lesser punishment be one for which a criminal prosecution might have been ordered, the reason why it was considered unnecessary or inexpedient to adopt that course should be recorded.

Extract paragraphs 6 to 9 of a Despatch from the Hon'ble Court of Directors No. 42, dated 6th August 1851.

IN regard to the rules of conduct which should guide the relations of superior officers with their subordinates, the following directions should be observed:—

"When persons are appointed to permanent situations in any department, they should not be dismissed upon light grounds. Fraud and dishonesty, continued and wilful negligence, and all offences involving moral disgrace, meet with their appropriate punishment in dismissal, and in every case in which that punishment is inflicted upon just grounds, the individual should be considered to be permanently excluded from Government employ. With regard, however, to instances of arbitrary dismissal for slight reasons, we can neither recognise their propriety nor see the advantage accruing to Government from the practice. It may be doubtful whether the punishment of temporary suspension under the name of dismissal, "with the intention of reappointment,"

has any beneficial operation as regards the supposed offender. But we cannot doubt that it must tend to impede the business of the office by raising fears in the minds of the other native officials that the caprice of their superiors may inflict upon them the same penalty. We consider it more likely that Government will be well served if it is distinctly understood that probity and diligence are the conditions of continued employment than if the subordinates work in slavish dread of their official superior, knowing that his whim, prejudice, or passion may at any hour eject them from their situations and reduce them to destitution. In our opinion, moreover, the knowledge that gross misconduct will altogether exclude from the service of Government will operate as an additional inducement to the honest and attentive discharge of duty on " [illegible] e offence which a subordinate may [illegible] of his office to merit severe pun[illegible] one of dismissal, the circumstances should be reported to higher authority, and, if necessary, to the Government for their judgment and decision.

The salutary tendency of the proposed rule will therefore be to make subordinates more faithful in the discharge of their duties, and superiors more cautious in inflicting punishment upon those under their control Necessary as it is that the power of dismissal should be vested in the chiefs of departments, it is equally desirable to check and, as far as may be practicable, to regulate that power.

There is, however, a class of cases which does not come within the intention of our order: we mean cases of ineptitude for the particular branch of occupation to which a native servant may have been originally appointed, as well as cases of physical incapacity. The latter must be treated according to rule, and with regard to the former we cannot but think that in the majority of cases the difficulty might be overcome by a readjustment of duties without recourse to the harsh steps of removal from office.

We have tak[illegible] ing the [illegible] tion on t[illegible] ing class of men placed in subordination to them."

Circular No. 18, Separate Revenue (Stamps), dated 16th September 1879.

It should be impressed on subordinates that culpable neglect of duty renders them liable to dismissal from the service of Government, apart from the question whether they are convicted of any criminal offence or not The two questions are entirely distinct and [illegible] ch other. Incompetence [illegible] justify dismissal in the [illegible] gh it may not amount to [illegible] punishable by law. [illegible] an official has been prosecuted in a criminal court, and has, after trial on the merits of the

Circular No 4, dated 3rd March 1882.

case, been declared innocent of the charge brought against him, the verdict should be accepted as final, and the man should not be punished departmentally when the offence for which he was tried constitutes the sole ground for punishment. If, however, the official be acquitted on technical grounds, or if the facts established by the judicial investigation show that his conduct or character as an official has been such as to make it undesirable that his services should be retained by Government, the head of the office to which he belongs may, in the exercise of the authority vested in him by the rules of the department, and after making a full record of the reasons, take departmental cognizance of such character or conduct.

Relationship among native Government officials

Circular No 36A, dated 16th June 1865.

The following are the views of Government in regard to relationship amongst native Government officials :—

No objection need be taken to relationship amongst treasurers and their subordinates or between kanúngos in the same district. In the former case the treasurer, being responsible for the honesty of his subordinates, is ju
can have confidence In
ter of the appointments
unavoidable, and they are not necessarily attended with evil.

In other cases the employment of relatives in Government service in the same district is not very objectionable if they are in departments which have no connection with each other, but is objectionable if they are in the same or connected departments; still more so if in the same office.

The most objectionable of all is the employment of relatives of the head of an office either in a similar department or in the same office. Government interference is not required in the case of officials who are related only to vakíls.

There is no objection to the employment of the relatives of Honorary Magistrates in the district in which the latter have power. The fact of the relatives of such employés being Honorary Magistrates vouches for their respectability.

In directing the transfers of officials where necessary—

Relatives of the heads of offices should be transferred to as great an extent as possible, unless they are employed in departments where their presence cannot facilitate mischievous combination.

As a general rule, no two relatives should be left in the same office, and as seldom as possible in the same department.

When it is necessary to transfer some members of a party of relatives, the last employed should be the first transferred.

In making appointments, the greatest care is to be taken to prevent the natural tendency to permit the formation of family cliques of officials. District Officers, when reporting a nomination for approval, should state in the "remarks" column of the statement the relations of the nominee who are in Government employ in the district. This will enable Commissioners to judge if the nomination is objectionable on the score of relationship.

Security. Secretariat clerks forbidden to stand security.
No. 3240, dated 20th November 1879.

CLERKS are forbidden to stand security for the debts of others or for loans to them, except in special cases in which permission must be obtained, the urgency of the need being explained to the satisfaction of the Secretary

Any clerk in any of the Secretariat offices hereafter becoming security for any other person, whether employed under Government or not, without the consent of the head of his office, will be summarily dismissed from his appointment This order applies to clerks employed in the office of the Board of Revenue.

Transfer of—.
No 1818, dated 23rd May 1882.

GOVERNMENT officials on their transfer from one district to another must not (without the special sanction, previously obtained, of the head of the department to which they are subordinate) take with them or arrange for the transfer to their new districts of subordinate officials who were serving under them in their old districts.

This rule is of general application, and holds good whether or not the subordinate whose transfer is desired is to be employed in the same or other capacities.

SUBSCRIPTIONS.

Commissioners to satisfy themselves of voluntary nature of—.
Resolution No. 2309A, dated 16th December 1875.

The cesses and subscriptions collected in these provinces in excess of those sanctioned by Government fall under the following heads:—

1 For dispensaries.
2 „ schools.
3 „ patwáris' fund, diary and siaha.
4 „ haftgana papers.
5 „ vaccination
6 „ poorhouses.
7 „ poor and blind asylums.
8 „ chaukidári and conservancy.

The cesses for patwáris' papers, or to supplement the patwári cess, should be discontinued Unless the Commissioner is satisfied that the subscriptions for vaccinators are purely voluntary, they also should be stopped.

sub ... the payment of the other but ... not properly be called cesses, ... themselves on tour that such payments are voluntary and are not enforced by official pressure.

The ... subscript ... ormed of any new ... natives by Government offi ... and the means proposed for its collection.

Not to be taken in the form of a percentage on land revenue.
Circular No. 21, dated 14th June, 1883.

It has been brought to the notice of the Government that in some districts of these provinces subscriptions have been raised for cattle shows, fairs, and such like purposes by means of a voluntary contribution from landholders, either of a small percentage on the ...

... Commissioner desires that they may be discontinued.

Inviting of—from native chiefs or officials of Native States.
India's No. $\frac{25}{1437-1160}$, dated 14th August 1889.
G. O. No. $\frac{1902}{111-723}$, dated 3rd September 1889.

In the Home D ... 31 ...

... condemned. The objections upon which those orders are based apply with even greater force to such donations. The Governor-

General in Council is therefore pleased to extend the orders contained in Resolution No. $\frac{31}{1217\text{-}42}$, (Public), dated 11th July 1885, to applications for, or acceptance of, assistance towards private or semi-public objects.

It has been ruled that the restrictions imposed on Government officials do not apply to Local and Municipal Boards, and that the term "native chiefs" includes "zamíndárs."

India's No 1866, dated 28th October 1885.
G. O, No $\frac{1270}{III-723}$, dated 6th November 1885.

Collection of—from natives by District Officers.
Circular No. $\frac{160-M}{V.-17B}$, dated 7th July 1888.

IT has come to the notice of Government that the above orders have in a recent case been lost sight of. The Lieutenant-Governor and Chief Commissioner calls strict attention to the Resolution marginally quoted and directs that no subscriptions for new objects are to be invited or encouraged by District Officers until such objects have been intimated to, and have received the approval of, the Local Government. District Officers will be held personally responsible for the observance of these instructions.

Resolution No 2300 A, dated the 16th December 1875.

Public servants. Participation of—in collecting subscriptions for political purposes.
G O No. 71 of 14th November 1888 (confidential).

IT has been brought to the notice of the Government that officials have without t[illegible] selves in collecting sub[illegible] political character It [illegible] should be permitted to interest themselves in the [illegible] sions; and His Honor the Lieutenant-Governor and Chief Commissioner is pleased to direct that public servants shall not participate in the collection of subscriptions intended to promote political purposes of any kind whatever. Infringement of these orders will entail very serious consequences.

TRANSPORT.

Use of Government-animals and elephants for religious processions.

G. O No. $\frac{662}{III-952B}$, dated 1st June 1894.

Army Regulations, India, Volume V, paragraphs 1985, 1992.

THE Government of India have ruled that it is undesirable that army transport animals should be used for religious processions, though under the Regulations quoted in the margin such animals may be lent for State and private purposes to civil and military officers.

A similar rule should be observed in the case of Government elephants of which civil officers may have the use.

TRESPASSING ON STANDING CROPS.

DISTRICT OFFICERS should take every opportunity of warning Englishmen and others against entering on standing crops for sporting purposes, unless they first obtain the permission of the owners so to do.

Trespass on standing crops.
No. 1610, dated 10th October 1870.

VOLUNTEERS.

Commissioned Officers. Appointment, promotion, &c., of—.
Government of India, No. 157B, dated 3rd May 1886.

WITH reference to clause 5, India Army Circulars, dated the 31st January 1886, it is directed that when recommendations are [illegible] nt, &c., of [illegible] a G. G. [illegible] with the [illegible] ed therein be hand-printed to ensure accurate publication.

Government of India, Military Department, No. 1565B, dated 25th October 1886.

It is requested that whenever recommendations are made for the appointment or promotion of officers in Volunteer Corps "to fill existing vacancies" or "to complete the establishment," it may be explicitly stated in whose room and why the proposed appointments or promotions are recommended.

Leave to Adjutants and other officers.
G. O. No. $\frac{653}{III-328}$, dated 24th September 1884.

THE Government of India having ruled, with reference to clause 25 of the India Army Circulars of 1883, that the power of granting privilege leave to the Adjutants of the Administrative Battalions of Volunteers to the extent of three months, shall be exercised by the Lieutenant-Governor and Chief Commissioner as Honorary Colonel of Volunteers in the North-Western Provinces and Oudh, it is directed that, in future, applications from such officers for privilege leave should be submitted through Commandants of Corps for sanction. Where the battalion is composed of several scattered corps, the application should be countersigned by the Commandant of each corps under which the Adjutant is employed.

Privilege leave to Volunteer Officers other than Adjutants will be granted by Commandants without reference to higher authority.

Encouragement to be given to volunteer movement.
Circular No. 2656A, dated 5th November 1878.

IT has been brought to the notice of the Lieutenant Governor and Chief Commissioner that some heads of departments, if not actively hostile to the volunteer movement, at least regard it with lukewarm indifference, and are consequently indisposed to allow their subordinates those little concessions in regard to time without which it is hardly possible for them to become efficient members of the force.

His Honor would therefore wish it to be understood that he thinks the volunteers ought to be encouraged as much as possible; and he trusts that, after this intimation of his opinion, heads of departments, so far from putting any obstacles in the way of their subordinates, will afford them every facility for serving as volunteers, so long as the concessions asked are not absolutely inconsistent with the performance of their ordinary and legitimate duties.

Special privileges granted to—
G. O. No. 1624A, dated 2nd April 1880.

The Government of India, in the Military Department, has granted to volunteer corps in India the following privileges :—

(*a*) The supply, when practicable, of tents and commissariat elephants and carts to bring volunteers daily to their offices on occasions when camps of exercise may be applied for and specially allowed. The Government of India will also, on these occasions, sanction the grant of free rations and the entertainment at the expense of the State of a complement of cooks.

(*b*) The right of all efficient volunteers to travel (*on State Railways only*) in the class of carriage next above that to which their tickets would ordinarily entitle them, on production of passes signed by their Commanding Officer : provided that only Commissioned Officers can, under this arrangement, travel 1st class with 2nd class tickets—all other ranks travelling 2nd class with 3rd class tickets.

The Governor-General in Council has also been pleased to sanction the grant of a medal for the best shot amongst the volunteers of each Presidency, the competition being conducted strictly under rules laid down by the Assistant Adjutant-General for Musketry.

VOLUNTEERS.

Commissioned Officers. Appointment, promotion, &c., of—. Government of India, No. 157B, dated 3rd May 1886.

WITH reference to clause 5, India Army Circulars, dated the 31st January 1886, it is directed that when recommendations are made for the appointment, promotion, transfer, retirement, &c., of officers of Volunteer Corps necessitating the publication of a G. G. O., a draft of the necessary order should be submitted with the recommendation, and that the names of the officers mentioned therein be hand-printed to ensure accurate publication.

Government of India, Military Department, No. 1565B, dated 25th October 1886.

It is requested that whenever recommendations are made for the appointment or promotion of officers in Volunteer Corps "to fill existing vacancies" or "to complete the establishment," it may be explicitly stated in whose room and why the proposed appointments or promotions are recommended.

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certificates granted by selected indigo planters, who not only grant certificates, but are also generally empowered to pay the rewards and recoup themselves by bills supported by the certificates as vouchers. This system meets with the entire approval of the Govern- . . . . neral in Council trusts that . . . . tention to this matter, as it is . . . . extermination are likely to . . . . . ies should . . . al means . . . snakes is . . . , of aloe, cactus, thorn hedges, ruined houses and walls, and the like, which harbour and afford cover to these reptiles.

Wild animals. Scale of rewards for the destruction of—.
Circular No 89A, dated the 21st September 1878, and No. 2111, dated 30th July 1881.

The following is the scale of rewards—in the several divisions of the North-Western Provinces and Oudh—for the destruction of wild animals. No deviation from the scale prescribed can be permitted without the sanction of Government.

The same reward will be paid for live animals sent to the Calcutta Zoological Gardens as would have been paid had they been destroyed. District Officers should, however, first communicate with the Committee should they hear of any specimens being available, as it often happens that the Committee have a sufficient supply of certain animals, and do not at the time require additional specimens. The Committee have also made arrangements with the East Indian Railway for the transport, free of charge, of animals intended for the Zoological Gardens; and on receiving intimation of any animals having been secured, they will be able to send a free pass for its carriage to Calcutta. If the animals require an attendant, the Committee will generally be able to send an experienced keeper to take charge of them during the journey.

Circular No. 9A, dated 3rd February 1865 (Judicial Criminal).

see tl . . .
rewa[illegible]

Scale of rewards in force in the North-Western Provinces and Oudh for the destruction of wild animals.

Division.		Tiger.		Leopard.		Bear.		Wolf.				Hyæna.	
		Either sex.	Cub of either sex	Either sex.	Cub of either sex	Either sex.	Cub of either sex	Male.	Female.	Male cub	Female cub. †	Either sex.	Cub of either sex.
		Rs.	Rs. a. p.	Rs	Rs a p	Rs.	Rs a. p	Rs.	Rs.	Rs a. p	Rs. a p.	Rs.	Rs. a. p.
North-Western Provinces.	Meerut	10	3 0 0	5	2 0 0	3	1 8 0	2	3	0 8 0	0 12 0	2	0 8 0
	Agra	10	3 0 0	5	2 0 0	3	1 8 0	2	3	0 8 0	0 12 0	2	0 8 0
	Allahabad ...	10	3 0 0	5	2 0 0	3	1 8 0	4	5	0 8 0	0 8 0	2	0 8 0
	Benares	10	3 0 0	5	2 0 0	3	1 8 0	4	5	0 8 0	0 8 0	2	0 8 0
	Rohilkhand ...	10	3 0 0	5	2 0 0	3	1 8 0	3	5	*0 8 0	0 8 0	2	0 8 0
	Jhánsi	10	3 0 0	5	2 0 0	3	1 8 0	2	3	0 8 0	0 12 0	2	0 8 0
	Kumaun ...	10	3 0 0	5	2 0 0	3	1 6 0	...	...	...	...	2	0 8 0
Oudh.	Lucknow ...	10	2 8 0	7	2 8 0	† 3	1 8 0	6	6	1 0 0	1 0 0	2	0 8 0
	Fyzabad ...	10	2 8 0	7	2 8 0	3	1 8 0	6	6	1 0 0	1 0 0	2	0 8 0

* G. O. No 1558, dated 4th May 1883.
† G. O. No. 2723, dated 1st August 1883, para 3.

Scale of rewards in force in the North-Western Provinces and Oudh for the destruction of wild animals.

Hyæna. Wolf. Leopard. Tyger.

Cub of either sex. ... wolf cubs, especially when the season is taken into consideration. Should any *very young* and *hairless* cubs be brought, it is a sign they have been cut out of the mother, and then, unless they bring the mother also, it is a *sure sign* they are *not* wolves: as if a pregnant wolf were captured, a reward for her would certainly be claimed. It is understood that by far the largest proportion of cubs for which "Kanjars" claim reward are jackals.

—*es.*—Breeding season from about middle of February to middle of March. When quite young, with closed eyes, they are of a very light brown, somewhat of the shade of coffee and milk, darker on the back. Their coat is soft, and the tail compared to their body is *very long*, almost twice as long as that of the young jackal of the same age. When older their colour becomes lighter, being only slightly dark on the back. The lower part of their abdomen becomes completely covered with a short and soft *white* down and their ears become white edged.

Still older, their coat becomes very soft and of a yellowish tan, with numerous projecting silky black hairs. At this period on their paws (that part which corresponds to the anatomical wrist) are developed a few white hairs, and their face becomes quite foxy, with a pointed muzzle.

Their teeth are fine.

The scale of rewards prescribed above for the destruction of animals in the Jhánsi district having proved insufficient, the following special rewards are sanctioned for the Jhánsi district, including the Lalitpur sub-division :—

		Rs.	a.	p.
Full grown leopard (either sex)	... ...	8	0	0
Ditto wolf (either sex)	... ...	6	0	0
Ditto wild dog (either sex)	... ...	2	0	0
Wild dog cub	... ...	0	8	0

A special reward of Rs. 2 for every wild dog killed in the Dehra Dun Division is sanctioned.

No. IV.

Political Department.



No. IV.—POLITICAL DEPARTMENT.

AFGHAN REFUGEES.

Annual return of Afghan refugees. G. O. No. $\frac{40}{\text{IV-713}}$, dated 16th June 1891.

COMMISSIONERS of Divisions will submit to Government, annually, soon [illegible] form showing the [illegible] districts of their div[illegible]ent. Afghan refugees should in future be excluded from the half-yearly returns of political détenus and State prisoners.

Annual return of Afghan Refugees residing in the North-Western Provinces and Oudh and drawing allowances, for the year ending the 31st December 189 .

1	2	3	4	5	6	7	8	9	10	11
Serial number.	Name.	Residence.	Age.	Nationality.	Nature of restraint, if any.	Number and date of Government order under which detained.	Allowance received from Government and number and date of order sanctioning the same.	Approximate number of followers, if any.	Remarks as to conduct, health, &c.	Remarks.

NOTE.—The names should be entered in alphabetical order · names and titles such as "Muhammad," "Sardár," "Sayyid," &c. ,*being placed last, thus* : "Hashim Khan, Muhammad, Sardár."

DARBARS.

Darbar Lists.
No. 45, dated 21st May 1879 (N.-W.P.), extended to Oudh by G. O. No, 418, dated 21st June 1879, and amended by Circular No. 39, dated 24th July 1880, and G.O. No. $\frac{777-85}{IV-690}$, dated 24th December 1891, and $\frac{501-5}{IV-693}$, dated 30th August 1894, and $\frac{622-3}{\overline{IV-682,}\ 5}$ dated 4th November 1894.

Darbár lists (in the form appended) should be maintained by District Officers with the greatest care, the names of all gentlemen entitled to a seat in the darbár of His Honor the Lieutenant-G[illegible] [illegible]per places. On receipt of [illegible] prepare annually a darbár [illegible] same form, with the addition of a column headed "divisional number" as column 1, assigning to the district darbáris their respective places in the general divisional list, and recording his opinion on each recommendation for the admission of new names, the omission of names now on the list, or the change in position of darbáris.

This divisional list should be submitted to Government for sanction by the 1st February in each year. It can conveniently be compiled by amending a copy of the last printed divisional list supplied by Government.

Applications for additions to or omissions from the list may, for special reasons, be submitted at any time other than that specified above.

As regards the compilation of these lists, the following general observations and orders are communicated for information and guidance :—

(*a*) The darbár lists of the Lieutenant-Governor are formed of the following classes :—

(1) Native gentlemen of good family or local influence.

(2) Men who have rendered conspicuous service to Government.

(3) Men distinguished for public spirit, evinced by the construction of works of general utility and convenience.

(4) Men distinguished for learning or professional attainments.

(5) Honorary servants to Government, as City Magistrates, Members of Municipal Boards, &c.

(6) Government officials.

(*b*) Of the first class alone is the right to a seat in darbár hereditary. As a rule, the eldest son of a darbári of this class, on the death of his father, will succeed to his position in darbár. This rule, however, is not absolute; and when, on the death of his father, the estate has been largely reduced, or if the character and influence of the son do not appear to warrant his taking his father's place, the case will be considered and decided on its merits.

(*c*) It must be remembered that the right to a seat in darbár only belongs to one member of an undivided family. In the case of a divided family, the heads of each separate branch are eligible for seats. Subordinate members, uncles, cousins or brothers in

DARBARS.

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Darbár lists (in the form appended) should be maintained by District Officers with the greatest care, the names of all gentlemen entitled to a seat in the darbár of His Honor the Lieutenant-Governor being recorded in their proper places. On receipt of the district lists, the Commissioner should prepare annually a darbár list for his division in the same form, with the addition of a column headed "divisional number" as column 1, assigning to the district darbáris their respective places in the general divisional list, and recording his opinion on each recommendation for the admission of new names, the omission of names now on the list, or the change in position of darbáris.

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(*c*) It must be remembered that the right to a seat in darbár only belongs to one member of an undivided family. In the case of a divided family, the heads of each separate branch are eligible for seats. Subordinate members, uncles, cousins or brothers in

an undivided family are only eligible for seats if they po[illegible]pecial claims to consideration.

(*d*) The second class includes many who will natu[illegible] find their place in the first class as well as many ex officials of [illegible]ernment of the civil and military services. The successio[illegible] the son to his father's place in darbár is not hereditary in thi[illegible]ss; but if the services rendered have been great, and the chara[illegible] of the son be good, his claims will be favourably considered.

(*e*) In the third and fourth classes recommendations [illegible]ld be made very sparingly, and only for conspicuous public spiri[illegible]d liberality or very distinguished attainments.

(*f*) Honorary Magistrates and members of Municipal Bo[illegible] should not be entered by name in the darbár lists, unless otherw[illegible] entitled to attend.

Honorary Magistrates are *ex officio* entitled to seats in t[illegible] Lieutenant-Governor's darbár.

The following members of Municipal Boards are, *ex offici[illegible]* entitled to seats in the Lieutenant-Governor's darbár:—

(*a*) Members of Municipal Boards at district head-quarters.

(*b*) Chairmen of Municipal Boards other than those at distric[illegible] headquarters

If the Chairman of any such Board be an official, the Vic[illegible] Chairman, if not an official, should be invited to attend.

Members of Boards other than those at district headquarte[illegible] are not *ex officio* entitled to seats; but if on other grounds the[illegible] have any title to be admitted, the fact that they are members of [illegible] Municipal Board will be considered to enhance their claim.

(*g*) Government officials need not be entered in the lists, [illegible] they are constantly transferred from one district to another. [illegible] may, however, be noted for the guidance of officers that—

I.—A classification of officials can best be arranged on the bas[illegible] of salaries; and in this view there will be two grades:—

A.—Those drawing Rs. 250 per mensem and upwards.

B.—All others.

II.—In both classes the ranking will primarily be by salary; officials drawing the same salary being arranged according to seniority in gazetted service.

III.—Officials drawing under Rs. 100 per mensem will not, as a rule, be admitted to darbars; but no hard-and-fast line can be drawn, and each case must be considered and decided on its own merits.

DARBARS.

Darbar Lists.
No 45, dated 21st May 1879 (N.-W P), extended to Oudh by G. O. No, 418, dated 21st June 1879, and amended by Circular No. 39, dated 24th July 1880, and G.O. No. $\frac{777-85}{IV-690}$, dated 24th December 1891, and $\frac{504-5}{IV-693}$, dated 30th August 1894, and $\frac{622-3}{IV-682}$, dated $\frac{}{5}$ 4th November 1894.

Darbár lists (in the form appended) should be maintained by District Officers with the greatest care, the names of all gentlemen entitled to a seat in the darbár of His Honor the Lieutenant-G[illegible] [illegible]er places. On receipt of [illegible] prepare annually a darbár [illegible] form, with the addition of a column headed "divisional number" as column 1, assigning to the district darbárs their respective places in the general divisional list, and recording his opinion on each recommendation for the admission of new names, the omission of names now on the list, or the change in position of darbáris.

This divisional list should be submitted to Government for sanction by the 1st February in each year. It can conveniently be compiled by amending a copy of the last printed divisional list supplied by Government.

Applications for additions to or omissions from the list may, for special reasons, be submitted at any time other than that specified above.

As regards the compilation of these lists, the following general observations and orders are communicated for information and guidance :—

(a) The darbár lists of the Lieutenant-Governor are formed of the following classes :—

(1) Native gentlemen of good family or local influence.

(2) Men who have rendered conspicuous service to Government.

(3) Men distinguished for public spirit, evinced by the construction of works of general utility and convenience.

(4) Men distinguished for learning or professional attainments.

(5) Honorary servants to Government, as City Magistrates, Members of Municipal Boards, &c.

(6) Government officials.

(b) Of the first class alone is the right to a seat in darbár hereditary. As a rule, the eldest son of a darbári of this class, on the death of his father, will succeed to his position in darbár. This rule, however, is not absolute; and when, on the death of his father, the estate has been largely reduced, or if the character and influence of the son do not appear to warrant his taking his father's place, the case will be considered and decided on its merits.

(c) It must be remembered that the right to a seat in darbár only belongs to one member of an undivided family. In the case of a divided family, the heads of each separate branch are eligible for seats. Subordinate members, uncles, cousins or brothers in

No. V.—MEDICAL DEPARTMENT.

CHRISTIAN BURIALS.

On the death of a Christian taking place in a Civil Hospital or Dispensary, it will be the duty of the Assistant Surgeon or Hospital Assistant in charge—if there are no friends or relatives who will undertake the funeral—to report the death at once to the District Superintendent of Police, who will then, in communication with the Chaplain, Priest or Minister, as the case may be, arrange for a coffin to be made, and for carrying the corpse to the cemetery at such time as the Chaplain, Priest or Minister may appoint, the expense being defrayed by the Magistrate.

Christians. Details of arrangements for the burial of—
No. $\frac{183}{V-203}$, dated 25th April 1891.

DISPENSARIES AND HOSPITALS.

Branch Dispensaries. Inspection of—
G. O. No. 574A, dated 16th August 1877.

THE general rule for the inspection of outlying dispensaries should be one visit in each of the four periods as marginally noted. Within these limits it should be left to the Civil Surgeon to decide when to make his visit, so that regular and efficient supervision may be secured. Any variation from these quarterly periods should be explained by the Civil Surgeon in submitting his bill for travelling expenses.

January to March.
April to June
July to September.
October to December.

Police Hospitals. Allowance for the purchase of country medicines, &c., for—
G. O. No. 763A, dated the 27th August 1878.

A FIXED maximum monthly allowance of Rs. 4 is sanctioned for each police hospital in Oudh for the purchase of country medicines and for other contingencies. For the Lucknow district police hospital a special allowance of Rs. 5 a month is sanctioned.

DEAD HOUSES.

Dead Houses. Sites for the erection of—
G. O. No. $\frac{123}{V-62B}$, dated 16th June 1890.

WHEN occasion arises, in future, for the construction of build- [illegible] urgeons, in con- [illegible] sen which is not [illegible]. The proper place [illegible] es, but it should be located at a sufficient distance from the lines and the police hospital, so as not to be offensive or injurious to the health of the occupants.

DISPENSARIES AND HOSPITALS.

Branch Dispensaries, Inspection of—
G. O No. 674A, dated August 1877.

January to March.
April to June
July to September.
October to December.

THE general rule for the inspection of outlying dispensaries should be one visit in each of the four periods as marginally noted. Within these limits it should be left to the Civil Surgeon to decide when to make his visit, so that regular and efficient supervision may be secured. Any variation from these quarterly periods should be explained by the Civil Surgeon in submitting his bill for travelling expenses.

Police Hospitals. Allowance for the purchase of country medicines, &c., for—
G. O. No. 7634, dated the 27th August 1878.

A FIXED maximum monthly allowance of Rs. 4 is sanctioned for each police hospital in Oudh for the purchase of country medicines and for other contingencies For the Lucknow district police hospital a special allowance of Rs. 5 a month is sanctioned.

DEAD HOUSES.

Dead Houses. Sites for the erection of—

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WHEN occasion arises, in future, for the construction of build- [illegible] be located at a sufficient distance from the lines and the police hospital, so as not to be offensive or injurious to the health of the occupants.

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HOSPITAL ASSISTANTS.

Hospital Assistants. Employment, &c, of—
India's Resolutions No. 16, dated 9th January 1878, and No. $\frac{1}{1528}$, dated 12th January 1887.

THE Subordinate Medical Service has been divided into two distinct branches—one for military and the other for civil employ.

The military branch will consist of so many of the hospital assistants as are required for military hospitals with a reserve of 25 per cent. on that strength. The assistants forming this reserve, when not required for military duty, may be employed in the Civil Department, but under such circumstances they will only be lent to the Local Government or Administration for the time being; they will continue to receive from the Civil Department their military rate of pay with any special allowances attached to independent and important charges and any personal allowances for exceptional good service, and will be always in readiness for immediate transfer to military work whenever their services may be needed. The list [illegible]
General of the I[illegible]
will be preserved [illegible]
number of vacancies annually under the same system as that now in force. The Surgeon-General will also regulate the distribution of the reserve among the various Local Governments.

The civil hospital assistants will constitute a separate class in each province sufficient for the entire civil medical work of that province. The list of the civil hospital assistants belonging to each province will be kept by the Local Government or Administration. The conditions of service will be as follow:—

1st.—Although under ordinary circumstances civil hospital assistants will be required to live only in the province for which they elect, they will be liable for temporary duty, either civil or military, elsewhere, should Government require their services to be so transferred.

2nd.—They will be held liable for military duty with regiments serving in the province to which they belong in the event of necessity arising for withdrawing the military hospital assistants from such regiments.

3rd.—The civil scale of pay shall be as follows:—

	Without English qualification.	With English qualification.
	Per mensem. Rs.	Per mensem. Rs.
First class, above fourteen years' service ...	35	65
Second class, above seven years' service ...	25	35
Third class, under seven years' service ...	20	25

In addition to the above scale of pay, special allowances of from Rs. 10 to Rs. 25 will be granted to hospital assistants for independent or other charges of more than ordinary importance, or when local circumstances, such as reputed unhealthiness or dearness of provisions, may give just grounds for increasing the emoluments . . . . and Administrations . . . within their respec- . . . hed and the amount in each case. Special personal allowances may also, on the recommendation of the Deputy Surgeon-General of the Circle, be granted for exceptionally good service.

Civil hospital assistants, when employed solely on military duties, will receive pay according to the military scale; and when a civil hospital assistant is called upon to perform a military duty in addition to his own proper work, he will be entitled to an extra allowance of Rs. 15 a month for a regiment, Rs. 10 for a wing of a regiment or a station staff hospital, and Rs. 5 a month for any detachment less than a wing.

When a hospital assistant attached to a dispensary, jail or other institution is appointed to an additional charge, such as a lock-up or a police hospital or normal school, he will be entitled to an extra allowance of Rs. 10 per mensem.

A hospital . . .
lar charge wil . . .
to that drawn . . .

Note.—The "extra allowance of Rs. 10 per mensem when a hospital assistant, attached to a dispensary, jail or other institution is appointed to an additional charge, such as a lock-up or a . . .

G. O. No. 697A, dated 8th August 1878.

. . . each case will therefore be decided on its merits by His Honor the Lieutenant-Governor and Chief Commissioner.

Civil hospital assistants will be eligible for pension under the rules of the Civil Pension Code.

All vacancies in the local civil hospital establishment will be filled up by the Local Government or Administration. Medical . . .
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requir . . .
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Extra Hospital Assistants.
No. 583, dated 2nd May 1879.

In the event of extra hospital assistants being required for emergent duty, when the Civil Surgeon at the headquarters station or in the district where they are to be employed is unable to supply them, application should be made by letter or telegram (according to urgency) to the Inspector-General of Civil Hospitals, North-Western Provinces and Oudh, who will make the necessary arrangements.

Hospital Assistants (Civil) Septennial Examination of—
No. 717, dated 16th June 1879, and No. 1006, dated 18th September 1879.

1. A COMMITTEE composed as under will assemble at *Agra, on the 15th April and the 15th October, for examination for promotion to the next higher grade of civil hospital assistants who have completed seven years' service in the 3rd and 2nd grades:—

(1) the Principal, Medical School;

(2) two Assistant Surgeons of the Medical School staff;

the Principal to preside.

2. Hospital assistants appearing before the committee should present to the President certificates from their immediate superior officers showing their conduct and professional character.

3. The President will submit to the Inspector-General of Civil Hospitals, North-Western Provinces and Oudh, Lucknow, the result of the examination in Indian Medical Department Form No. 28, printed at page 44, quarterly sheets of Circulars and General Orders, 1878, together with the certificates that have been submitted.

Notification No $\frac{299}{V-165B}$, dated 28th July 1893.

4. The Inspector-General of Civil Hospitals will publish in Part II of the *North-Western Provinces and Oudh Government Gazette* the names of hospital assistants found qualified for promotion, and this will be accepted as sufficient authority by the Accountant-General, North-Western Provinces and Oudh, for purposes of audit of increased pay and allowances.

Hospital Assistants. English qualification of—for promotion.
G. G. O No. 945 of 1868.

THE qualification in the English language which will entitle hospital assistants to the increased rates of pay is as follows:—

I—the ability to read fluently and intelligently ordinary English prose—for instance, a page of any standard History of England or India;

II—a fair knowledge of orthography and the ability to write from dictation with a reasonable amount of correctness;

III—a competent knowledge of simple arithmetic as far as the rule of three;

*The practice of assembling a committee at Agra only was introduced in 1856 by Doctor W. Walker, then Inspector-General.

IV—the ability to read and write English prescriptions intelligently.

The admission to a hospital assistant of the increased rate of pay after seven years' service, and again to a 1st class assistant of that after fourteen years' service, can only be sanctioned on the certificate of the medical officer under whom the candidate may be serving that he has not only maintained his previous knowledge but also made fair progress in his acquaintance with the English language.

Local Governments and Administrations have the power to exempt hospital assistants from their septennial examinations, but this power is to be very cautiously exercised and exemptions are to be granted only for very special reasons.

Government of India, Home Department, No. 18-Medical/894, dated 12th December 1895.

WHENEVER it is considered necessary by local officers to suspend a civil hospital assistant, the approval of the Magistrate of the district must first be obtained. Any order directing such suspension should be immediately reported to the Inspector-General, Civil Hospitals, North-Western Provinces and Oudh.

Hospital Assistants. Suspension of Civil—No. 1210, dated 11th December 1879.

CIVIL hospital assistants taken for temporary military service will receive the military instead of the civil rate of pay attached

the whole of their service. Such hospital assistants on returning to civil duties will revert to the precise footing in the Civil Department as regards grade and pay which they would hold if they had not been transferred to temporary duty in the Military Department.

Hospital Assistants. Civil pay of—when serving in the Military Department.

Government of India, Home Department Resolution No. 393, dated 21st July 1897.

Any examination passed by civil hospital assistants while performing military duty, either for grade promotion or for Eng- [illegible] 'solve them from the [illegible] ns to which they are [illegible] The only exception [illegible] ere it is certified that the examination passed by a civil hospital assistant while on military duty was equivalent to that which he would have undergone in civil employ. In such cases the hospital assistant concerned will be held to have satisfied the requirements of the Civil Department.

THE power of inflicting minor punishments, including fine, upon hospital assistants in civil employ shall in future rest exclusively with the Administrative Medical Officer of the Province.

Hospital Assistants. Punishment of—

Government of India, Home Department, No. [illegible], dated 22nd June [illegible].

Hospital Assistants.
Free quarters or house-rent to—
Government of India, Home Department, Resolution No. $\frac{4\text{-Medical}}{425\text{--}436}$, dated 19th July 1894.

2. All hospital assistants employed in sanctioned appointments, whether under Government or Local Boards or Municipalities, should be granted by the authorities paying their salaries, free quarters or house-rent in lieu. It is to be distinctly understood, however, that the grant of house-rent is conditional on the hospital assistant concerned providing himself with quarters within a convenient distance of his duties or of the hospital or dispensary in which he may be employed. The quarters thus rented should be approved by the authority under whom the hospital assistant is serving. In places where free quarters are not provided, and where suitable quarters within a convenient distance are not obtainable, it will be the duty of the Government or the local body concerned, as the case may be, to build free quarters.

3. This Resolution only applies to those hospital assistants who are Government servants.

INSPECTOR-GENERAL OF CIVIL HOSPITALS.

Inspector-General. Powers of the—No. 640, dated 14th May 1879, and No 512, dated 16th July 1881.

THE following are the arrangements in connection with the duties of the Inspector-General of Civil Hospitals as the head of the Civil Medical Department in these Provinces:—

G. O No. $\frac{3561}{II-692A}$, dated 23rd October 1893.

He will arrange for transfers and postings of all civil medical employés under the rank of Civil Surgeon, and will be vested for this purpose with the authority hitherto exercised by the Government.

He will also be competent to pass orders on applications for leave by such employés (subject always to Standing Orders), and to arrange for filling vacancies consequent on the grant of leave.

Applications for *extra* native doctors or hospital assistants in connection with outbreaks of cholera or other epidemics will be made to him, and he is authorized to pass the necessary orders as to appointment, pay, &c., of such, but not of those entertained for duty in a regularly sanctioned appointment and on the fixed establishment.

In supersession of all previous orders on the subject, applications for leave by Civil Surgeons will be submitted, through the Magistrate of the district, to the Inspector-General (no duplicate is now necessary), who will forward them with his recommendations to the Government through the office of the Accountant-General.

G. O. No. $\frac{2593}{VI-216C}$, dated 15th March 1893.

He is also appointed to be *ex officio* Visitor of all jails and lock-ups in the North-Western Provinces and Oudh.

G. O. No. 623, dated 1st September 1881.

The dismissal of a hospital assistant of the regular establishment should be reported for the confirmation of Government, but men of that class may be degraded by the Inspector-General of Civil Hospitals without reference to Government, and he may also accept resignation of appointment.

Inspector-General. Duties of the—Circular No. 7A, (General), dated 30th January 1865.

THE Inspector-General of Civil Hospitals has been directed to examine and inspect the charitable dispensaries during his cold weather tour, and to call for returns of expenditure, number of patients treated, operations performed, &c., &c., in the form which will be received from his office, and which, together with the annual reports and returns to be submitted in the forms prescribed by that officer, will enable the Government to obtain a correct view of the expenditure, usefulness and comparative value of the working of each institution.

Medical officers, assistant surgeons, hospital assistants and native doctors must in addition to any reports required by the medical authorities, report making over or receiving charge of dispensaries to the Inspector-General of Civil Hospitals.

All correspondence relating to the construction and establishment of new dispensaries, as well as increase or decrease of existing establishments and salaries, must be submitted through the Inspector-General of Civil Hospitals for the orders of Government, and any information required by the Inspector-General as to the management and working of the dispensaries should be readily furnished.

MEDICAL ATTENDANCE.

THE following rules relate to medical attendance on officers and their establishments employed in the interior of districts on civil duties, such as the conduct of surveys and the construction of roads, canals, &c.:—.

Rules regarding medical attendance on officers and their establishments employed in the interior of districts. Notification No. 4918, dated 6th October 1848 (Revenue).

The Surgeon or Assistant Surgeon in charge of the civil station of the district in which the parties are employed is bound to render medical attendance to them whenever called upon to do so.

In the event of the medical officer being required to visit a party at a distance from the station, he will be entitled to draw travelling allowance under the ordinary rules during the period of such necessary absence from the sadar station.

All officers attached to such establishments as are herein mentioned, whenever residing within the limits of military cantonments, will be attended by the Staff Surgeon of the station.

The above rules will be superseded whenever the establishments of the nature above stated are of such magnitude as to require special provision for the medical attendance upon them.

GOVERNMENT servants, during their actual tenure of office, and no other persons, are entitled to the benefit of free medical attendance, and existing rules do not extend the privilege to Government pensioners; but European military pensioners, who have been pensioned directly from military service and who reside outside cantonments, should be considered entitled to gratuitous medical attendance, both for themselves and their families, from the Civil Surgeons of their respective stations, the privilege not being applicable to any persons drawing a civil pension, or who have received a gratuity for service in the Civil Department, or to pensioned commissioned officers

Medical attendance. Persons entitled to gratuitous— India's No. 632, dated 23rd December 1880, and enclosures.

Government servants who have been engaged by the Right Ho[illegible]

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residences.

G. G. O. No 2000, dated 20th August 1870 (Financial).

The Government cannot undertake to reimburse to a public servant who is entitled to the gratuitous attendance of a Government medical officer or to medicines from a Government dispensary fees which he may have occasion to pay to a medical practitioner not in the public service, or the cost of medicines which he may purchase privately.

G. G. O. No. 2007, dated 5th July 1877 (Financial)

Medical attendance. Persons entitled to gratuitous—by the Civil Surgeon.

Resolution of the Government of India, Home Department, No. $\frac{12}{334\text{-}51}$, dated 16th August 1884.

Resolution of the Government of India, Home Department, No. $\frac{18}{514\text{-}26}$, dated 26th November 1884.

ALL officers of Government in the Bengal Presidency living at the headquarters station of a district and drawing a salary (as defined in the Codes of the Financial Department) of Rs. 250 and over, whether gazetted or not, are entitled to gratuitous medical attendance at their own residences from Civil Surgeons. Gazetted officers drawing less than Rs. 250 a month will no longer be entitled to the gratuitous medical attendance of a Civil Surgeon.

Executive Officers and Engineers of Her Majesty's Marine in the junior grades, though drawing a salary of less than Rs. 250 a month, are also entitled to the personal attendance of the Civil Surgeon when they require to be treated on shore.

Medicines and medical attendance for Government clerks and their families.

Resolution of the Government of India, Home Department, No. $\frac{14}{447\text{-}64}$, dated 23rd October 1884.

IN supersession of all previous orders on the subject, the following rules for medical attendance on, and supply of medicines to, Government clerks and their families are prescribed with effect from the 1st January 1885 :—

(1) All clerks of all Government offices are entitled to gratuitous medical attendance and medicines for themselves.

(2) All clerks of Army Headquarters offices are entitled to similar privileges for themselves and their families.

(3) Subject to the above rules, clerks drawing Rs. 250 per mensem and upwards are entitled to the services of the Civil Surgeon, and those drawing less than that amount to the services of the Assistant Surgeon or medical subordinate provided for the purpose, it being understood that the attendance of the Civil Surgeon should be given in all cases of emergency or of great danger or difficulty, when applied for by the subordinate medical attendant.

Government of India, Home Department, No. 428, dated 31st August 1885.

For the purposes of the above orders the definition of the term "family" given in the Simla Travelling Allowance Code should be adopted. According to this definition the word will include the officer's wife; his legitimate children residing with, and wholly dependent on him; and also his parents, sisters and minor brothers, if wholly dependent on and residing with him.

Medical attendance. Rules regarding—on Government establishments at Naini Tal.

G. O. No. [illegible] of 17th August [illegible]

IN conformity with the Proceedings of the Government of India, Home Department (Medical), No. $\frac{16}{473\text{-}79}$, dated Simla the 30th October 1884 (*vide* pages 68 and 69 of the Book of Medical Circulars and General Orders for 1884), regulating the medical attendance on the Government of India establishments at Simla

not entitled to the attendance of the Civil Surgeons, the Lieutenant-Governor and Chief Commissioner has decided that the following rules shall be in force in Naini Tal, with effect from the 1st September 1889, and shall regulate the medical attendance on similar establishments under this Government in the absence of special rules :—

1.—Menial and other servants of Government drawing less than Rs. 15 a month shall apply for medical aid at the charitable dispensary at the regular hours for attendance.

2.—When too ill to attend as out-patients they will, on due notice being given, be visited in the first instance by the hospital assistant in medical charge of the dispensary, and arrangements made, if possible, for their being removed to the dispensary as inpatients.

3.—Government servants drawing salaries between Rs. 15 and Rs. 50 a month, inclusive, will be attended at their houses by the hospital assistant [illegible] in the [illegible] cases Assistant to the Ci[illegible] house, or in cases of urgen[illegible] they should consult him at the dispensary between 6 and 11 A.M. and 4 and 6 P.M.

4.—Government servants drawing over Rs. 50 a month will be attended at their houses by the Assistant to the Civil Surgeon. But officials who are able to attend office should consult the Assistant to the Civil Surgeon at the dispensary between the hours of 7-30 and 8-30 A.M.

5.—*Except in emergent cases,* letters received by the hospital assistant or Assistant to the Civil Surgeon after 10 A.M. will not be attended to till after 2 P. M., and those received after 2 P. M. not till next morning.

[illegible] received when deliver[illegible]s at his house [illegible]d at the chari[illegible]

7.—A compounder or dresser shall be in attendance at the charitable dispensary during the recognised periods of absence of the hospital assistant. It shall be a part of his duties to receive such letters, and see that they are delivered to the hospital assistant without avoidable delay.

[illegible] f employés [illegible]stant, one [illegible] between [illegible] l between 6. A. M. and 7 P. M., and two rupees for each [illegible] in the case of the Assistant to the Civil 7 P. M. and 6, A. M.; in the case of the Assistant to the Civil

the maximum fee being Rs. 8 per mensem.

9.—Under the provisions of Government of India, Home Department's letter to the Surgeon-General with the Government of India, No. 551, dated Simla, the 20th October 1886 (Medical Department Circulars for 1886, page 85), every Government servant who does not declare, when he first summons a medical practitioner, that he desires to pay him an annual or seasonal fee, will be held bound to pay by the visit on the above terms.

10.—The charitable dispensary shall be open for ordinary work between 6 and 11 A. M. and 4 and 6 P. M. daily in summer. From the 1st October to the 1st April the hours shall be from 7 to 11 A. M. and from 4 to 5. P. M. In the intervals a compounder or dresser will be in attendance. Medicines will be supplied from the dispensary in accordance with the Standing Orders in the Manual of Government Orders (Part V, page 31).

Medical attendance. Rules for—on Government establishments at Allahabad.

G. O. No. 119/V—105B, dated 1st May 1895.

1. MENIAL and other servants of Government drawing less than Rs. 15 a month shall apply for medical aid at the charitable dispensary *nearest to their homes* at the regular hours for attendance.

2. When too ill to attend as out-patients they will, on due notice being given, be visited in the first instance by the hospital assistant in medical charge of the dispensary *nearest to their homes*, and arrangements made, if possible, for their being removed to the *Colvin Hospital* as in-patients.

3. Government servants [illegible] between Rs. 15 and Rs. 50 a month, inclusive, wil[illegible] hospital assistant of the ch[illegible] *homes*, who will call in the [illegible] Civil Surgeon in serious cases or in cases of urgency. [illegible] actually confined to the house, they should consult him at the dispensary between 6 and 11 A.M. and 4 and 6 P.M.

4. Government [illegible] Rs. 50 a month will be atte[illegible] But [illegible] ant [illegible] of 7-30 and 8-30 A.M. in summer, and 8-30 and 9-30 A.M. in winter.

5. Except in cases of emergency, letters received by the hospital assistant or Assistant to the Civil Surgeon after 7 A.M. in winter and 6 A.M. in summer will not necessarily be attended to until after 2 P.M., and those received after 2 P.M. not till next morning.

6. Letters will be admitted to have been received when delivered to some responsible person within the above hours at his house in the case of the Assistant to the Civil Surgeon, and at a charitable dispensary in the case of hospital assistants.

NOTE.—Letters for the Assistant to the Civil Surgeon may also be delivered at the Police Hospital between the hours laid down for his attendance in rule 4; but under rule 5 they will not necessarily be attended to till after 2 P.M.

7. A compounder or dresser shall be in attendance at each charitable dispensary during the recognised period of absence of the hospital assistant. It shall be a part of his duties to receive such letters and see that they are delivered to the hospital assistant without avoidable delay.

8. The ordinary fees for visits paid to the families of employés at their houses shall be in the case of the hospital assistant, Re 1 for each visit paid by day under the above conditions between 6 A.M.

[illegible]

seasonal arrangement be come to, the ordinary fee shall be 2 per cent. on the employé's salary, to be paid monthly, the maximum fee being Rs. 8 per mensem.

9. Under the provisions of Government of India, Home Department's letter to the Surgeon-General with the Government of India, No. 551, dated Simla, the 26th October 1886 (Medical Department Circulars for 1886, page 85), every Government servant who does not declare when he first summons a medical practitioner that he desires to pay him an annual or seasonal fee will be held bound to pay by the visit on the above terms.

Medical Attendance. Rules for—on Government establishments at Mussoorie.

G. O. No. $\frac{311}{V-2x0B}$, dated 20th November 1895.

1. MENIAL and other servants of Government drawing less than Rs 15 a month shall apply for medical aid at the charitable dispensary at the regular hours—6 to 11 A.M. and 4 to 6 P.M.

2. When too ill to attend as out-patients they will, on due notice being given, be visited in the first instance by the hospital assistant in medical charge of the dispensary and arrangements made, if possible, for their being removed to the civil dispensary as in-patients.

[illegible] 15 and [illegible] by the [illegible] n the [illegible] to the Civil Surgeon of the [illegible] cases or in cases of urgency. When not actually confined to their houses, they should consult him at the dispensary between 6 and 11 A.M. and 4 and 6 P.M.

4. Government servants drawing over Rs. 50 a month will be attended at their houses by the Assistant to the Civil Surgeon. But officials who are able to attend office should consult the Assist-

Surgeon, the ordinary fees shall be Rs. 2 and Rs. 4, respectively, as above: if an annual or seasonal arrangement be come to, the ordinary fee shall be 2 per cent. on the employé's salary, to be paid monthly, the maximum fee being Rs. 8 per mensem.

9.—Under the provisions of Government of India, Home Department's letter to the Surgeon-General with the Government of India, No. 551, dated Simla, the 26th October 1886 (Medical Department Circulars for 1886, page 85), every Government servant who does not declare, when he first summons a medical practitioner, that he desires to pay him an annual or seasonal fée, will be held bound to pay by the visit on the above terms.

10.—The charitable dispensary shall be open for ordinary work between 6 and 11 A. M. and 4 and 6 P. M. daily in summer. From the 1st October to the 1st April the hours shall be from 7 to 11 A. M. and from 4 to 5. P. M. In the intervals a compounder or dresser will be in attendance. Medicines will be supplied from the dispensary in accordance with the Standing Orders in the Manual of Government Orders (Part V, page 31).

Medical attendance. Rules for—on Government establishments at Allahabad.

G. O. No. 119/V—205H, dated 1st May 1895.

1. MENIAL and other servants of Government drawing less than Rs. 15 a month shall apply for medical aid at the charitable dispensary *nearest to their homes* at the regular hours for attendance.

2. When too ill to attend as out-patients they will, on due notice being given, be visited in the first instance by the hospital assistant in medical charge of the dispensary *nearest to their homes*, and arrangements made, if possible, for their being removed to the *Colvin Hospital* as in-patients.

3. Government servants drawing salaries between Rs. 15 and Rs. 50 a month, inclusive, will be attended at their houses by the hospital assistant of the charitable dispensary *nearest to their homes*, who will call in the Assistant to the Civil Surgeon or the Civil Surgeon in serious cases or in cases of urgency. When not actually confined to the house, they should consult him at the dispensary between 6 and 11 A.M. and 4 and 6 P.M.

4. Government servants drawing over Rs. 50 a month will be attended at their houses by the Assistant to the Civil Surgeon. But officials who are able to attend office should consult the Assistant to the Civil Surgeon at the Police Hospital between the hours of 7-30 and 8-30 A.M. in summer, and 8-30 and 9-30 A.M. in winter.

5. Except in cases of emergency, letters received by the hospital assistant or Assistant to the Civil Surgeon after 7 A.M. in winter and 6 A.M. in summer will not necessarily be attended to until after 2 P.M., and those received after 2 P.M. not till next morning.

6. Letters will be admitted to have been received when delivered to some responsible person within the above hours at his house in the case of the Assistant to the Civil Surgeon, and at a charitable dispensary in the case of hospital assistants.

NOTE.—Letters for the Assistant to the Civil Surgeon may also be delivered at the Police Hospital between the hours laid down for his attendance in rule 4; but under rule 5 they will not necessarily be attended to till after 2 P.M.

7. A compounder or dresser shall be in attendance at each charitable dispensary during the recognised period of absence of the hospital assistant. It shall be a part of his duties to receive such letters and see that they are delivered to the hospital assistant without avoidable delay.

8. The ordinary fees for visits paid to the families of employés at their houses shall be in the case of the hospital assistant, Re 1 for each visit paid by day under the above conditions between 6 A.M. and 7 P.M., and Rs. 2 for each visit paid between 7 P.M. and 6 A.M. In the case of the Assistant to the Civil Surgeon, the ordinary fees shall be Rs. 2 and Rs. 4, respectively, as above; if an annual or seasonal arrangement be come to, the ordinary fee shall be 2 per cent. on the employé's salary, to be paid monthly, the maximum fee being Rs. 8 per mensem.

9. Under the provisions of Government of India, Home Department's letter to the Surgeon-General with the Government of India, No. 551, dated Simla, the 26th October 1886 (Medical Department Circulars for 1886, page 85), every Government servant who does not declare when he first summons a medical practitioner that he desires to pay him an annual or seasonal fee will be held bound to pay by the visit on the above terms.

Medical Attendance. Rules for—on Government establishments at Mussoorie.

G. O. No. $\frac{311}{V-2208}$, dated 20th November 1895.

1. MENIAL and other servants of Government drawing less than Rs. 15 a month shall apply for medical aid at the charitable dispensary at the regular hours—6 to 11 A.M. and 4 to 6 P.M.

2. When too ill to attend as out-patients they will, on due notice being given, be visited in the first instance by the hospital assistant in medical charge of the dispensary and arrangements made, if possible, for their being removed to the civil dispensary as in-patients.

3. Government servants drawing salaries between Rs. 15 and [illegible]

they should consult him at the dispensary between 6 and 11 A.M. and 4 and 6 P.M.

4. Government servants drawing over Rs. 50 a month will be attended at their houses by the Assistant to the Civil Surgeon. But officials who are able to attend office should consult the Assist-

ant to the Civil Surgeon between the hours of 8 and 9 A.M. in summer, and 9 and 10 A.M. in winter at the civil dispensary.

5. Except in cases of urgency, letters received by the hospital assistant or the Assistant to the Civil Surgeon after 8 A.M. in winter and 7 A.M. in summer will not necessarily be attended to until after 2 P.M., and those after 2 P.M. not till next morning.

6. Letters will be admitted to have been received when delivered to some responsible person within the above hours at his house in the case of the Assistant to the Civil Surgeon, and at the charitable dispensary in the case of the hospital assistant.

NOTE.—Letters for the Assistant to the Civil Surgeon may also be delivered at the civil dispensary between the hours laid down for his attendance in rule 4; but under rule 5 they will not necessarily be attended to till after 2 P.M.

7. A compounder or dresser shall be in attendance at the charitable dispensary, during the recognised period of absence of the hospital assistant. It shall be a part of his duties to receive such letters and see that they are delivered to the hospital assistant without avoidable delay.

8. The ordinary fees for visits paid to the families of employés at their houses shall be, in the case of the hospital assistant, Re. 1 for each visit paid by day under the above conditions between 6 A.M. and 7 P.M., and Rs. 2 for each visit paid between 7 P.M. and 6 A.M. In the case of the Assistant to the Civil Surgeon, the ordinary fees shall be Rs. 2 and Rs. 4, respectively, as above; if an annual or seasonal arrangement be come to, the ordinary fee shall be 2 per cent. on the employé's salary, to be paid monthly, the maximum fee being Rs. 8 per mensem.

9. Under the provisions of Government of India, Home Department's letter to the Surgeon-General with the Government of India, No. 551, dated Simla, the 26th October 1886 (Medical Department Circulars for 1886, page 85), every Government servant who does not declare when he first summons a medical practitioner that he desires to pay him an annual or seasonal fee will be held bound to pay by the visit on the above terms.

10. Medicines for Government servants will be dispensed daily at the civil dispensary between the hours of 7 and 11 A.M. and 4 and 6 P.M. Emergent prescriptions will be dispensed at all hours.

ant to the Civil Surgeon between the hours of 8 and 9 A.M. in summer, and 9 and 10 A.M. in winter at the civil dispensary.

5. Except in cases of urgency, letters received by the hospital assistant or the Assistant to the Civil Surgeon after 8 A.M. in winter and 7 A.M. in summer will not necessarily be attended to until after 2 P.M., and those after 2 P.M. not till next morning.

6. Letters will be admitted to have been received when delivered to some responsible person within the above hours at the house in the case of the Assistant to the Civil Surgeon, and at the charitable dispensary in the case of the hospital assistant.

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7. A compounder or dresser shall be in attendance at the charitable dispensary, during the recognised period of absence of the hospital assistant. It shall be a part of his duties to receive such letters and see that they are delivered to the hospital assistant without avoidable delay.

8. The ordinary fees for visits paid to the families of employés at their houses shall be, in the case of the hospital assistant, Re. 1 for each visit paid by day under the above conditions between 6 A.M. and 7 P.M., and Rs. 2 for each visit paid between 7 P.M. and 6 A.M. In the case of the Assistant to the Civil Surgeon, the ordinary fees shall be Rs. 2 and Rs. 4, respectively, as above; if an annual or seasonal arrangement be come to, the ordinary fee will be 2 per cent. on the employé's salary, to be paid monthly, the maximum fee being Rs. 8 per mensem.

9. Under the provisions of Government of India, H[illegible] Department's letter to the Surgeon-General with the Government of India, No. 551, dated Simla, the 26th October 1886 (M[illegible] Department Circulars for 1886, page 85), every Government servant who does not declare when he first summons a medical practitioner that he desires to pay him an annual or seasonal fee will be held bound to pay by the visit on the above terms.

10. Medicines for Government servants will b[illegible] at the civil dispensary between the hours of 7 [illegible] and 6 P.M. Emergent prescriptions will be di[illegible]

that now devolve upon them, and to invite their co-operation in all questions connected with the medical and sanitary improvement of the districts and municipalities with which they are connected. When the Civil Surgeon has any suggestion or advice to offer to a board, otherwise than at a public meeting, or when correspondence follows discussion at a meeting, he should place himself demi-officially in communication with the Chairman.

Rules regarding inspection visits and duties of Civil Surgeons placed in visiting charge of a second civil station.

G. O. No. $\frac{180M}{V-25}$, dated 30th June 1885.

The following rules are laid down in regard to the inspection visits and duties of Civil Surgeons placed in visiting charge of a second civil station :—

I.—A Medical Officer in visiting charge of a second civil station should, as a rule, visit it once in every two months.

II.—Such visiting Medical Officer should remain in the station under inspection for not less than 48 hours, and should fully and thoroughly inspect all the medical work and institutions, reporting the results of his inspection to the Inspector-General of Civil Hospitals, North-Western Provinces and Oudh.

III.—When possible, the visiting Medical Officer should time his visit so as to be present at a meeting of the district board in case of his advice being required on medical and sanitary matters.

Responsibility of medical officers for the destruction of infected clothing, &c.

Government of India, Home Department, No. $\frac{5}{123}$, dated 28th April 1886.

The following are the orders of the Government of India in regard to the destruction of infected bedding, clothing, &c. :—

1. A case having recently occurred in which compensation was claimed for the destruction, by order of a Government Medical Officer, of bedding, clothing, &c., belonging to certain individuals who occupied quarters in which a man had died of cholera, the Governor-General in Council considers it desirable, in order to prevent the unnecessary destruction of property and the submission of claims for compensation, that some definite instructions should be laid down for the guidance of officers in such cases. His Excellency in Council is accordingly pleased to direct that the procedure prescribed for adoption among European troops as given in the * rules appended to this Circular shall, with the addition of the foot-note, in future be carefully observed.

2. It should be impressed upon all Government officers that if destruction of property as calculated to cause infection is ordered, and inquiry subsequently shows in any particular case that such destruction was not absolutely necessary, but that purification would have sufficed, the officer ordering such destruction must be held personally responsible for the loss occasioned thereby to the owners of the property.

* Nos. 56 and 57.

who are not Native Princes or Chiefs, and when such charge is accepted by the patient; and

(2) when the officer and patient reside in the same station and the fee does not exceed Rs. 50 for each visit, or Rs. 1,000 in the aggregate for repeated visits, during the course of a year.

Government of India, Home Department, No. $\frac{9\text{-Medical}}{645}$, dated 19th October 1894.

4. For the purposes of this notification the term "Local Government" will be held to include an Agent to the Governor-General and a Resident of the 1st class, and the word "fees" includes honoraria or presents which may be offered to Medical Officers for services rendered.

Civil Surgeons. Rules for summoning—to another station.
Circular No. 57, dated 19th October 1891 (Financial).

When necessity arises for summoning Civil Surgeons from one station to another to afford medical aid to Government officers, application should be made to the Magistrate of the district or chief civil officer in the station, when a reference can be made to him without undue delay. He, if satisfied of the propriety of the step, will, through the Magistrate of the district to which the medical officer belongs, request him to come, and the request should then be complied with, unless serious inconvenience will be caused thereby.

A certificate by the Magistrate of the district to which the Civil Surgeon is attached, to the effect that the procedure above laid down has been followed, or stating the exceptional circumstances under which it was departed from, must in all cases be appended to the Civil Surgeon's travelling allowance bill.

Correspondence of Civil Surgeons.
G. O. No. 72, dated 6th February 1882 (Police).

Except in cases of purely medical matters, all official correspondence between the Civil Surgeon and higher authority shall be forwarded through the Magistrate of the district.

Position of Civil Surgeons in their relation to District and Municipal Boards.
G. O. No. $\frac{1420}{\text{IX-137}}$, dated 13th November 1884.

Sections 31 [illegible] XIV and XV of 1883, provide that the [illegible] shall be entitled to attend any meet[illegible] board on any matter affecting [illegible] sanitation.

The object of this provision is not in any way to relax or sever the connection between Civil Surgeons on the one hand, and District Boards and Municipal Committees on the other; but rather to place the Chief Medical Officer of the district in a position where he will be better able than he was before (when he was only one of many members) to draw authoritative attention to the needs, sanitary and otherwise, of the various localities and towns. The position the Civil Surgeon now occupies is practically that of an inspecting officer, representing the general administration of the district in the Medical and Sanitation Departments. Magistrates are desired to bring prominently to the notice of all Civil Surgeons the functions

that now devolve upon them, and to invite their co-operation in all questions connected with the medical and sanitary improvement of the districts and municipalities with which they are connected. When the Civil Surgeon has any suggestion or advice to offer to a board, otherwise than at a public meeting, or when correspondence follows discussion at a meeting, he should place himself demi-officially in communication with the Chairman.

Rules regarding inspection visits and duties of Civil Surgeons placed in visiting charge of a second civil station.

G. O. No. $\frac{180M}{V-23}$, dated 30th June 1885.

The following rules are laid down in regard to the inspection visits and duties of Civil Surgeons placed in visiting charge of a second civil station :—

I.—A Medical Officer in visiting charge of a second civil station should, as a rule, visit it once in every two months.

II.—Such visiting Medical Officer should remain in the station under inspection for not less than 48 hours, and should fully and thoroughly inspect all the medical work and institutions, reporting the results of his inspection to the Inspector-General of Civil Hospitals, North-Western Provinces and Oudh.

III.—When possible, the visiting Medical Officer should time his visit so as to be present at a meeting of the district board in case of his advice being required on medical and sanitary matters.

Responsibility of medical officers for the destruction of infected clothing, &c.

Government of India, Home Department, No. $\frac{6}{123}$, dated 28th April 1886.

The following are the orders of the Government of India in regard to the destruction of infected bedding, clothing, &c. :—

1. A case having recently occurred in which compensation was claimed for the destruction, by order of a Government Medical Officer, of bedding, clothing, &c., belonging to certain individuals who occupied quarters in which a man had died of cholera, the Governor-General in Council considers it desirable, in order to prevent the unnecessary destruction of property and the submission of claims for compensation, that some definite instructions should be laid down for the guidance of officers in such cases. His Excellency in Council is accordingly pleased to direct that the procedure prescribed for adoption among European troops as given in the * rules appended to this Circular shall, with the addition of the foot-note, in future be carefully observed.

2. It should be impressed upon all Government officers that if destruction of property as calculated to cause infection is ordered, and inquiry subsequently shows in any particular case that such destruction was not absolutely necessary, but that purification would have sufficed, the officer ordering such destruction must be held personally responsible for the loss occasioned thereby to the owners of the property.

* Nos. 56 and 57.

Purification of Bedding and Clothing.

56. The straw of the barrack bedding used by persons attacked prior to admission into hospital will be burnt. The stuffing of mattresses and pillows used by cholera patients in hospital will be opened out, exposed to the air and beaten, and, when practicable, submitted to a dry heat of not less than 250° Fahrenheit for at least an hour (in an oven or *otherwise) before being again used; the remainder of the barrack and hospital bedding, clothing, &c., and such of the clothing worn by patients on their admission as is not liable to injury thereby, shall be boiled, exposed to the air, beaten, and afterwards washed with soap and water.

Cots and punkah fringes which have been used by cholera patients or in wards set apart for them, should also be subjected to the action of boiling water when they are no longer required for such cases.

Such articles of a soldier's kit as cannot be treated in the above manner will be removed to hospital and there fumigated and exposed to the air and sun for a week, beaten and washed.

Burning only to be resorted to when purification cannot be at once carried out.

57. When circumstances are such that the above processes of purification cannot be at once carried out, such articles as body linen, bedding, cots and punkah fringes may be burnt, but with proper arrangements the necessity for their destruction will rarely arise.

* Or if means are not at hand to enable this to be done, it should be boiled.

MEDICAL SCHOOL.

GENERAL RULES.

Medical School, Agra. Rules for the admission of candidates into the— Notification No. $\frac{607}{V-66}$, dated 21st December 1892. Notification No. $\frac{136}{V-66}$, dated 30th March 1893. Notification No. $\frac{82}{V-66}$, dated 21st March 1895.

1.—Students will be divided into four classes, viz.—

(1) Civil Class. (3) Compounder Class.

(2) Military Class. (4) Female Class.

2.—The curriculum will extend over two years for the Compounder Class, three years for the Military Class, and four years each for the Civil and Female Classes, a separate set of rules for the female classes will be forwarded on application to the Principal.

3.—The year is divided into two sessions, viz., the summer session from the 1st July to 30th September, and the winter session from 1st November to 30th April.

4.—The school year will commence on the 1st July, on which date candidates will present themselves to the Principal at 8 A.M. for inspection and selection by him.

"4 A.—No candidate will ordinarily be allowed to present himself unless his name is borne on the list of candidates considered eligible by the Director of Public Instruction. The list will be supplied by the Director to the Principal on or before the 15th June."

5.—Instruction will be given gratuitously; but all students, except those of the Military and Compounder Class, must provide themselves with the necessary text-books.

CIVIL CLASS.

6.—Candidates must not be under 16 or over 21 years of age. Each must produce certificate (a) of having passed the Anglo-Vernacular Middle Class Examination or any University standard indicating a higher proficiency, and a certificate (b) of good moral character signed by some responsible person.

7.—The number of new admissions will be limited to 50 in each year. Preference will be given to students holding the highest qualifications, and to those volunteering for military service.

8.—[illegible] rules of the school, or are guilty of other grave [illegible] progress, will be liable

Medical Department), are under 25 years of age, and are otherwise physically fit for Government service.

10.—On behalf of every student who has elected for Government service, his parent, guardian, or friend will be required, before he can finally be admitted, to execute a bond in the form given in Appendix BB. The form of agreement for hospital assistants therein referred to is given in Appendix C.

11.—Should a student fail to pass at the end of four years, he will be remanded to his studies for a further period of six months, and so on after each failure But no student will be allowed to appear a second or third time for the final examination unless he remains continuously at the school and attends the lectures and hospital practice.

SCHOLARSHIPS.

12.—On the 1st of August of each year, *i. e.*, one month after the commencement of the summer session, an examination, to be called the "Preliminary Professional Examination," will be held in the few elementary subjects on which lectures have been given. For the present 30 scholarships, ranging from Rs. 8 to Rs. 5, will be given according to the order of merit to the first 30 of the newly-admitted students. The number will vary with the requirements of the year and may be much greater. These scholarships will be tenable for three months. Simple English and arithmetic will form part of *every examination.*

13.—At the end of the first summer session scholarships will be reallotted according to the result of the class examinations, and again every six months according to the result of the half-yearly examinations. The subjects of the examinations and the order in which they may be taken up are defined in Appendix D.

14.—Students who fail at their first attempt to pass the final examination will not be eligible for, or entitled to retain, any ... al may grant a subsistence ... mensem and for a period not ... g student who being a scholar-

MILITARY CLASS.

15.—The age and qualification, &c., will be the same as for the Civil Class.

16.—Candidates will be selected by the Principal from the list supplied by the Director of Public Instruction under Rule 4A.

17.—All Military medical pupils will be required to sign the declaration given in Appendix B.

18.—While at the Medical School they will receive pay at the following rates:—

	Rs.	
First year	8	a month.
Second "	9	"
Third "	10	"

19.—Students will be allowed three chances of passing the final examination under the conditions of rule 11.

20.—Military medical pupils will be required to pass the examinations defined in Appendix D, and those who are qualified will be attested and admitted into Government service as sub-hospital assistants.

COMPOUNDER CLASS.

21.—Compounders [illegible] Civil appoint-ment in the North-Wes[illegible] are eligible for admission into the Medical School [illegible] conditions:—

22.—The applicant must be under 28 years of age.

23.—He must have passed at least five years in the capacity of probationer, compounder, or dresser.

24.—He must be recommended by a Civil Surgeon or other medical officer, under whom he may have served for at least six months, as being likely, from his industry, intelligence and general good conduct, to become a useful hospital assistant.

25.—He must possess a certificate of having passed the Middle Class Anglo-Vernacular Examination, as laid down in Notification No. 1494A, dated the 16th July 1877.

26.—The Inspector-General of Civil Hospitals will communicate to the compounder, through the Civil Surgeon who transmits his application, whether he can be admitted into the school; and, if so, he must report himself to the Principal at the Medical School on the morning of 1st July, the cost of his railway fare, 3rd class, being refunded to him after arrival.

27.—He will not be allowed to compete for scholarships, but will draw a subsistence allowance of Rs. 6 a month while at the school.

APPENDIX BB.

Form of Security Bond to be executed by the parent, guardian or friend of the student.

(*See rule* 10)

* Insert relationship, or the word "friend" or "ward."

WHEREAS A.B. [*] of C.D., by caste , a resident of , has been selected by the Principal of the Agra Medical School on behalf of the Hon'ble the Secretary of State for India for admission into the Civil class of the aforesaid Medical School for the purpose of studying medicines and surgery and has elected for Government service.

Now this Indenture dated the between C.D., surety on behalf of the said A.B., on the one part, and the Hon'ble the Secretary of State for India in Council on the other part, witnesseth that in consideration of the said A.B. being permitted to benefit from the instruction given in the said Medical School and from such emoluments as he may from time to time receive from Government, the said A B. shall diligently attend the said Medical School for the space of four calendar years (or for such other period as may be fixed for the hospital assistant's course) from the date of these presents, and faithfully observe the rules prescribed for pupils attached to the Civil class of the said Medical School.

And it is further agreed and declared that in the event of the said A.B. passing the final examination and obtaining a diploma qualifying him to serve as a Civil hospital assistant, he the said A.B. will, if required to enter the service of Government, execute the form of agreement prescribed for hospital assistants in Home Department Resolution No $\frac{2}{123-144}$, dated the 5th March 1889.

And it is further agreed and covenanted by the said C.D, surety of the said A.B., that in the event of the said A.B., in breach [illegible] his studies and leaving [illegible]ermission of the Prin[illegible] [illegible]edical School for gross [illegible] [illegible]aid agreement for hospital assistants if required to enter the service of Government at the end of his course, the said C.D, as surety of the said A.B., shall pay to the said Secretary of State the amount spent by Government on the professional education of the said A.B., calculated at the rate of rupees seven and annas eight per mensem up to the time when he relinquished his studies, or up to the time when he was dismissed, or up to the time when he refused to enter the service of Government and to execute the aforesaid agreement for hospital assistants, as the case may be.

And whereas by the provisions of Act I of 1879 it is enacted that the expense of providing the stamp duty in absence of any agreement to the contrary shall be borne by the person executing the instrument, it is hereby covenanted and declared that for the purposes of this indenture the stamp duty shall be borne by the Secretary of State for India.

APPENDIX C.

Declaration to be signed by Civil Hospital Assistant.

(See rule 10.)

Know all men by these presents that I——————son of——————of——————am held and firmly bound unto *the Secretary of State for India in Council* in the penal sum of rupees four hundred (Rs. 400) to be paid to the said Secretary of State his certain attorney successors or assigns for which payment to be well and truly made I bind myself my heirs executors administrators and representatives firmly by these presents sealed with my seal dated at——————this——————day of—————— ——————18—. And I the said——————do hereby for myself my heirs executors administrators and representatives covenant with the said Secretary of State his successors and assigns that if any suit shall be brought touching the subject-matter of this bond or the conditions hereunder written in any Court subject to the High Court of Judicature at Fort William in Bengal other than the said High Court in its Original Jurisdiction the same shall and may at the instance of the said Secretary of State be removed into tried and determined by the said High Court in its Extraordinary Original Jurisdiction.

[illegible] bond or obligation which [illegible]——————and is [illegible] the public are interested within the meaning of the exception to section 74 of Act IX of 1872 is such that if the above bounden——————shall faithfully and diligently serve the said Secretary of State his successors and assigns for the period of five years in the Subordinate Medical Department in the capacity of a Civil hospital assistant and shall and will willingly and submissively at all times obey all the lawful orders and commands of the said Secretary of State his successors and of any Commissioned Medical Officer of the Department for the time being under whom the above bounden may be appointed to serve and specially shall when ordered so to do forthwith and as ordered proceed to any part of British India or of its Dependencies or of the States in alliance with it where his services shall be required and shall on no account (except in case of illness of which a certificate signed by a Commissioned Medical Officer shall be sufficient proof) without the orders or sanction of the said Secretary of State his successors or assigns leave any station to which he

shall have been appointed or in any way terminate his service before the end of the said five years and shall while at every such station well and truly and faithfully perform the duties of a Civil hospital assistant, and shall also when required so to do and in the event of necessity arising serve on military duty and while engaged on such military duty will strictly conform to and obey and observe all orders and regulations prescribed for his conduct subject to the penalties for disobedience therein laid down, or failing such to a penalty of Rs. 200 and on any default or breach of any of the provisions hereinbefore mentioned in respect to his duties——— ———shall well and truly upon demand pay to the said Secretary of State his successors or assigns the sum of rupees two hundred (Rs. 200) for every such default or breach then the above written bond shall be void otherwise the same shall remain in full force and virtue.

(*Signed in our presence.*)

APPENDIX D.

(*See rule* 13.)

THE examinations for the Diploma of the Agra Medical School will consist of two parts, to be known as the "First" and "Last" Half Professional Examinations (or Final). The subjects for the "First Half" are Chemistry, Elementary Physics, Materia Medica, Anatomy and Physiology.

These subjects may be taken up in the following order, *viz.*—

Physiology after the first winter session.

Chemistry and Elementary Physics after the second summer session.

Materia Medica and Anatomy after the second winter session.

The subjects for the "Last Half" (or "Final Examination") are Medicine, Surgery and Medical Jurisprudence, and must be taken up together after the completion of the fourth year.

For the Military Class, as at present constituted, the following modifications will be made :—

First Half.

The examination in Chemistry will be held at the end of the first summer session, Materia Medica at the end of the first winter session, and Anatomy and Physiology at the end of the second summer session.

Last Half (or "Final").

The subjects will comprise Medicine and Surgery, and the examination will take place at the end of the third year.

In regard to the system of education followed at the different medical schools, Local Governments and Administrations may form their own plans, but in order to secure uniformity as far as possible, the Government of India should be kept informed of the prescribed curriculum and of any changes made in it.

Curriculum Agra Medi Changes in th. G. O. No 697, d. August 1878.

MEDICAL STUDENTS.

Testimonials of character to native medical students proceeding to England.
Secretary of State's despatch No. 142, dated 16th May 1878.

SEVERAL instances having recently occurred among the native medical students proceeding to England to compete for appointments in Her Majesty's Indian Medical Service of candidates who were unable to procure testimonials of character in accordance with the regulations for examinations for that service, *i.e.*, certificates "from a magistrate or minister of the religious denomination to which the candidate belongs, who has personally known him for at least the two years preceding the date of his application," I have to request that you will cause the attention of the authorities in the various colleges in your Government to be drawn to this regulation, and the necessity of intending candidates complying with it, as far as possible, by obtaining certificates of character of a date immediately preceding their departure from India.

MEDICINES.

Medicines to officers in Government service. Gratuitous supply of—
No 264, dated 23rd April 1880

MEDICINES should be given from a charitable dispensary only to *boná fide* patients of the dispensary and to menial or inferior servants of Government to whom the Civil Surgeon does not give from his supply.

Medicines should not be given to any person (not being a dispensary patient) not in Government service if there is a druggist's shop in the station at which medicines can be procured of good quality and at reasonable rates. If there is no such shop, the Civil Surgeon may be authorised to supply medicines from his official store on payment of the value at cost price.

All Government officials and their families enjoy the privilege of gratuitous supply; but at places where there are good shops and where the charges are reasonable, Civil Surgeons should do what they can to induce patients who are able to pay to resort to those shops instead of to the official stock.

Home Department G. O. No $\frac{10 \text{ Medical}}{421}$, dated 8th June 1895.

Prescriptions from Staff Surgeons for Civil establishments residing w[illegible] at a Military Hospital and t[illegible] ing in the civil li[illegible]

No. VI.

Judicial (Criminal) Dept.



No. VI.—JUDL. (CRIMINAL) DEPT.

ABSCONDED OFFENDERS.

Pursuit of fugitive offenders. Procedure in—

G. O. No. $\frac{217}{VI-50B}$, dated 10th December 1887.

THE following opinion of the Honourable the Advocate-General for Bengal as to the procedure which should be adopted to secure the return of fugitive offenders is published for general information:—

"I will now proceed to state shortly what, in my opinion, is the proper procedure to be adopted in British India when the return of a fugitive offender is desired.

"Evidence should be taken that the person against whom the warrant is applied for has absconded; then evidence that an offence has been committed by such person should be faithfully and minutely recorded under section 512 of the Code of Criminal Procedure. If the Court upon such evidence issues a warrant, the warrant should be in the form prescribed by section 75 and directed as required by section 77. Evidence should be taken showing clearly that the offence charged is one to which Part I … certificate from … showing … rigorous imprisonment for a term of 12 months or more (see section 9 of 44 and 45 Vic., Cap 69). All the evidence should be taken, if possible, in the presence of the police officer to whom the warrant is addressed, and to whom it is desired that the fugitive offender should be delivered.

"A copy should be made of every deposition and every documentary exhibit; and each copy should contain a declaration, signed by the Magistrate as such, that it is a true copy of the deposition taken by himself, or an exhibit produced to him, as the case may be. The whole of the copy of the record thus made … to whom the warrant … ticate every portion … which the fugitive offender is.

"When the presence of the police officer who is to execute the warrant cannot be obtained at the proceedings referred to, then each copy must, before being entrusted to the police officer, be sealed with the seal of the Governor or Lieutenant-Governor of the province in which the proceeding was held. Although when the documents can be authenticated by the oath of a witness in the

possession from which it is desired to procure the delivery of the offender the seal of the Governor or Lieutenant-Governor is not essential, I think it expedient that the seal should be affixed whenever it can be conveniently done.

"If the police officer entrusted with the execution of the warrant is unable to identify the accused, he should be accompanied by some person able to identify the accused to the possession from which the return of the accused is desired."

Sale of property of—Circular No. 184, dated 6th January 1874.

SECTION 88 of the Criminal Procedure Code provides that the property attached thereunder shall be at the disposal of Government, but that it shall not be sold till the expiration of six months, unless it is of a perishable nature or the Magistrate considers that the sale would be for the benefit of the owner; but it does not prescribe that the property *must* be sold, and unless the circumstances are very exceptional (such, for example, as involve treason against the State), sale ought not to take place in the case of immovable property, such as land, houses, &c.

When the accused person does not appear at the end of six months, immovable property attached should continue to be held under attachment until the expiration of the two years contemplated in section 89; and should he then fail to appear, the orders of Government for the final disposal of the property should be solicited, with a statement of the facts of the case.

ACCUSED PERSONS.

Custody of and Time-table Register.
Circular No. 578A, dated 23rd July 1862.

It is the duty of the Magistrate of the district, or the Magistrate having jursidiction, on the delivery by the District Superintendent of Police of a charge-sheet with pr[illegible] cept the case at once, and to comn[illegible] (if the offence be not bailable, or if [illegible] hawalat, not in the ci[illegible] be received on a close [illegible] getting the requisite [illegible]

District Superintendents are directed to note on the face of each charge-sheet the hour and date of the arrival thereof at the sadr station, and the hour and date of the same being delivered to the Magistrate of the district, or to the Magistrate having jurisdiction, and also to keep up a vernacular register in the form shown on the margin. It is the duty of the Magistrate to keep up a corresponding register, showing the duration of each case in his court from "the hour and date of delivery," as shown in column 7 of the form prescribed for the observance of the District Superintendent of Police.

1	2	3	4	5	6	7	8
Name of police station.	Name of charge-sheet.	Hour and date of complaint at police station.	Hour and date of arrest, if any	Hour and date of despatch from police station	Hour and date of arrival at sadr station	Hour and date of delivery to Magistrate.	Total days and hours.

Fund for dieting—in transit to headquarters.
Circular No. 12, dated 20th February 1868.
Police Circular No. 27 of 1868.
Police Circular No. 21 of 17th November 1885.

Magistrates are responsible for making arrangements with their District Superintendents of Police for the necessary supply of funds to the subordinate police for dieting arrested persons until their arrival at the sadr station.

The following are the rules in force in regard to the provision of funds for the dieting of prisoners, accused persons and criminal lunatics whilst in transit under charge of the police to the sadr station, and also to meet the cost of transporting corpses and wounded men to the sadr station :—

I.—The Magistrate will furnish to every police officer in charge of a divisional station Rs. 5, and to every officer in charge of a subdivision Rs. 3, as a permanent advance.

II.—The officer in charge of the station, when forwarding prisoners or accused persons to the sadr station, will advance to the police officer in charge of the party a sum sufficient to cover the

possession from which it is desired to procure the delivery of the offender the seal of the Governor or Lieutenant-Governor is not essential, I think it expedient that the seal should be affixed whenever it can be conveniently done.

"If the police officer entrusted with the execution of the warrant is unable to identify the accused, he should be accompanied by some person able to identify the accused to the possession from which the return of the accused is desired."

Sale of property of— Circular No. 18A, dated 6th January 1874.

SECTION 88 of the Criminal Procedure Code provides that the property attached thereunder shall be at the disposal of Government, but that it shall not be sold till the expiration of six months, unless it is of a perishable nature or the Magistrate considers that the sale would be for the benefit of the owner; but it does not prescribe that the property *must* be sold, and unless the circumstances are very exceptional (such, for example, as involve treason against the State), sale ought not to take place in the case of immovable property, such as land, houses, &c.

When the accused person does not appear at the end of six months, immovable property attached should continue to be held under attachment until the expiration of the two years contemplated in section 89; and should he then fail to appear, the orders of Government for the final disposal of the property should be solicited, with a statement of the facts of the case.

ACCUSED PERSONS.

Custody of and Time-table Register.
Circular No 578A, dated 23rd July 1862.

It is the duty of the Magistrate of the district, or the Magistrate having jurisdiction, on the delivery by the *District Superintendent* of Police of a charge-sheet with prisoners, to acknowledge and accept the case at once, and to commit the prisoners to confinement (if the offence be not bailable, or if the bail be not furnished) in the hawalat, not in the city police station; and even if the case should be received on a close holiday, there should still be no difficulty in getting the requisite warrant prepared on the same day.

District Superintendents are directed to note on the face of each ... arrival thereof at the sadr ... ame being delivered to the Magistrate of the district, or to the Magistrate having jurisdiction, and also to keep up a vernacular register in the *form shown on* the margin. It is the duty of the *Magistrate to* keep up a corresponding register, showing the duration of each case in his court from "the hour and date of delivery," as shown in column 7 of the form prescribed for the observance of the District Superintendent of Police.

1	2	3	4	5	6	7	8
Name of police station.	Name of charge-sheet	Hour and date of complaint at *police station*	Hour and date of arrest, if any.	Hour and date of despatch *from* police station	Hour and date of arrival at sadr station	Hour and date of *delivery* to Magistrate	Total days and hours.

Fund for dieting—in transit to headquarters.
Circular No. 12, dated 20th February 1869
Police Circular No 27 of 1869
Police Circular No. 21 of 17th November 1885

Magistrates are responsible for making arrangements with their District Superintendents of Police for the necessary supply of funds to the subordinate police for dieting arrested persons until their arrival at the sadr station.

The following are the rules in force in regard to the provision of funds for the dieting of prisoners, accused persons and criminal lunatics whilst in transit under charge of the police to the sadr station, and also to meet the cost of transporting corpses and wounded men to the sadr station :—

I.—The Magistrate will furnish to every police officer in charge of a divisional station Rs. 5, and to every officer in charge of a sub-division Rs. 3, as a permanent advance.

II.—The officer in charge of the station, when forwarding prisoners or accused persons to the sadr station, will advance to the police officer in charge of the party a sum sufficient to cover the

expense of dieting the prisoners on the road, and will give a cheque in the accompanying form showing the number of persons to be dieted.

III.—In the same manner, in despatching a corpse or wounded person, he will advance to the accompanying officer a sum sufficient to pay the bearers or coolies from station to station, with a cheque in the same form showing the number of bearers or coolies employed.

IV.—On arrival at the sadr station, the police officer in charge will take the cheque to the Court-Inspector (or in Oudh to the Headquarters Inspector), who, after checking it with the papers in the case, will enter on the back the date of arrival at the sadr, the amount to be refunded to the police officer in charge, and the name of that officer, and sign it. The cheque will then be laid before the Magistrate for signature, and, that obtained, will be taken by the police officer in charge *himself* to the Magistrate's názir for payment. The názir will be careful to pay only to the police officer whose name is on the cheque; and on payment being made, he will obtain that officer's signature, or in the event of his being illiterate, his seal on the cheque and in his register. The cheque will be filed in the názir's office.

V.—The názir will keep up a register by *stations* (thánawár) in which he will record the cheques when paid. This register will show the number of the cheque, its date, date of payment, purpose for which payment is made, person to whom paid, amount paid, signature or seal of payee.

VI.—On the 2nd or 3rd of each month each officer in charge of a station will submit to the District Superintendent of Police a memorandum for the previous month of the cheques issued by him during the month. The memorandum will give the number [illegible] cheque The District Superin- [illegible] with the názir's register and [illegible]

VII.—In the case of prisoners or accused persons sent to Subdivisional or Honorary Magistrates, or of corpses or wounded persons sent to branch dispensaries, the police officer of the court, or in the event of there being none, the officer in charge of the police station, will record on the back of the cheque the date of receipt, the amount due, the name of the police officer in charge, and his own signature He will then send the cheque through the Court-Inspector to the názir, who will remit the amount to the despatching station, through the office of the District Superintendent of Police.

VIII.—On receipt by the District Superintendent of Police of the Magistrate's written order to despatch accused persons, criminal lunatics, &c , to another district, an English memorandum

in duplicate of charges for the railway fare and diet of such persons will be sent to the Magistrate, who will return the duplicate memorandum with the money required to the District Superintendent of Police. No officer under the rank of Reserve Inspector shall sign such memorandum or receive the money sent by the Magistrate.

IX.—Officers in charge of stations will thus always have in hand the permanent advance of Rs. 5 and Rs. 3, and need keep no accounts.

X.—The cost of dieting prisoners, &c., will be charged at the end of the month in the Magistrate's contingent bill.

XI.—The diet-money shall not exceed one anna per head per diem. The rate of payment for kahárs and coolies will be fixed by the Magistrate.

Form showing cost of dieting prisoners and accused persons, and of carrying corpses and wounded persons.

Name of station.	Name of police officer in charge of party.	Date when made over	Nature of the duty.	Number of prisoners or accused persons, or (in case of corpses or wounded persons) the number of coolies	Amount advanced	Remarks.

N.B.—The form will be issued in books of 200 forms each, with counterfoil. There will be a serial number on each form and its counterfoil, and the seal of the [illegible] intendent of Police must be stamped on each form and its [illegible] intendent of [illegible] d both will [illegible]

In order to obviate the hardship which might be caused by detaining in custody for an unnecessarily long period persons suspected [illegible] offences and arrested under section 63, [illegible]

—for forest offences to be taken to police station.
Circular No. 4, dated 4th February 1884.

station; and the officer in charge [illegible] the matter in accordance with the provisions of Chapter XXXIX of the Criminal Procedure Code.

APPEALS AND REVISIONS.

G.O. No. $\frac{3589}{VI-517C}$, dated 20th September 1894

1. The following procedure will be followed in all cases in which a District Magistrate considers that—

(1) an appeal should be preferred by Government under section 417, Criminal Procedure Code, from an original or appellate judgment of acquittal passed by a Sessions Judge or from a judgment of acquittal passed by a subordinate Magistrate;

(2) an application should be preferred for revision, with a view to enhancement of sentence or otherwise, of a judgment passed by a Sessions Judge. [Applications for revision of judgments of subordinate Magistrates are made to the High Court by the District Magistrate without reference to Government.]

2. The Magistrate will submit a brief narrative of the facts of the case, with his reasons for considering an appeal or application for revision advisable, to the Commissioner, along with all the original records and police diaries connected with the case. A certified copy of the judgment in question should also be forwarded, as it will be required by the Public Prosecutor if the Government accepts the Magistrate's recommendation. No marginal notes or underlining should be made on the certified copy.

Note.—[A "certified copy" of a judgment means a copy duly certified and sealed as required by section 76 of Act I of 1872.

G. O. No. $\frac{2111}{VI-517C}$, dated 4th September 1895.

3. If the Magistrate wishes to examine the record of a case decided by the Sessions Court, in which he thinks that an appeal or an application for revision is probably expedient, before he submits a recommendation to this effect to Government, he may apply to the Commissioner to obtain for him the record from the Sessions Court, by requisition under High Court's Circular Order No. 5 of 1875.* The Commissioner will forthwith comply with this request.

* High Court Circular Orders (Criminal), page 52.

4. When the Commissioner receives a recommendation under Rule 1 from a District Magistrate, he will forthwith submit it and the connected records to Government with his own opinion upon the case, whether he agrees or not with the Magistrate. If it be a Sessions case and the Sessions record has not already been obtained from the Sessions Court, the Commissioner should ordinarily obtain it before forwarding the Magistrate's recommendation to Government. But he may submit the recommendation without it, when delay seems inadvisable, or when he is of clear opinion that the Magistrate's recommendation is not made out.

5. District Magistrates should bear in mind that the Government is unwilling to exercise its right of appeal in petty or unimportant cases, and that it will not exercise it merely because the judgment sought to be set aside is not in accordance with that of the lower Court. The Magistrate must show that the recorded evidence clearly warranted a conviction, and that an avoidable failure of justice has manifestly taken place. Similarly, the Magistrate should not recommend an application for revision with a view to enhancement of a sentence, if the only enhancement permissible by the law would be comparatively small.

6. A recommendation under Rule 2 should be made by the Magistrate as soon as possible after the judgment to which it relates has been passed, and should be submitted without delay by the Commissioner to Government. The Government will require a full and detailed explanation whenever a Magistrate's recommendation fails to reach it within one month from the date of the judgment.

APPEALS AND REVISIONS.

G. O. No. $\frac{3589}{VI-517C}$, dated 26th September 1894.

1. THE following procedure will be followed in all cases in which a District Magistrate considers that—

(1) an appeal should be preferred by Government under section 417, Criminal Procedure Code, from an original or appellate judgment of acquittal passed by a Sessions Judge or from a judgment of acquittal passed by a subordinate Magistrate;

(2) an application should be preferred for revision, with a view to enhancement of sentence or otherwise, of a judgment passed by a Sessions Judge. [Applications for revision of judgments of subordinate Magistrates are made to the High Court by the District Magistrate without reference to Government.]

2. The Magistrate will submit a brief narrative of the facts of the case, with his reasons for considering an appeal or application for revision advisable, to the Commissioner, along with all the original records and police diaries connected with the case. A certified copy of the judgment in question should also be forwarded, as it will be required by the Public Prosecutor if the Government accepts the Magistrate's recommendation. No marginal notes or underlining should be made on the certified copy.

Note.—[A "certified copy" of a judgment means a copy duly certified and sealed as required by section 76 of Act I of 1872.

G. O. No. $\frac{2411}{VI-517C}$, dated 4th September 1895.

3. If the Magistrate wishes to examine the record of a case decided by the Sessions Court, in which he thinks that an appeal or an application for revision is probably expedient, before he submits a recommendation to this effect to Government, he may apply to the Commissioner to obtain for him the record from the Sessions Court, by requisition under High Court's Circular Order No. 5 of 1875.* The Commissioner will forthwith comply with this request.

* High Court Circular Orders (Criminal), page 52.

4. When the Commissioner receives a recommendation under Rule 1 from a District Magistrate, he will forthwith submit it and the connected records to Government with his own opinion upon *the case*, whether he agrees or not with the Magistrate. If it be a Sessions case and the Sessions record has not already been obtained from the Sessions Court, the Commissioner should *ordinarily obtain* it before forwarding the Magistrate's recommendation to Government. But he may submit the recommendation without it, when delay seems inadvisable, or when he is of clear opinion that the Magistrate's recommendation is not made out.

(5) all European and East Indian subjects of Her Majesty the Queen-Empress; all Armenians; and all Americans and Europeans not British-born subjects of Her Majesty who are temporarily residing or travelling in India;

(6) all Consuls, Consular Agents; all duly accredited Vakíls or Agents of Native States;

(7) all Ruling Chiefs and such members of the families or High Officials of Ruling Chiefs as the Local Government, may from time to time designate * on the occasions of their entering, or residing in, British India, with their retinues, to such numbers as may in each case be settled by the Political Officer under the orders of the Foreign Department, or of the Madras and Bombay Governments in respect to Chiefs whose political relations are with those Governments respectively; and all officials of such Chiefs passing through British India on duty;

*Home Department Notification No. 459, dated 22nd March 1895.

(8) all pensioned officers of the Native Army and such pensioned officers of the Civil Departments as the Local Government by general or special order may direct, subject to the proviso that the arms and ammunition carried or possessed by such persons shall be for their own personal use and not in excess of such quantities (if any) as may have been declared by the Governor-General in Council or the Local Government to be reasonable for them to carry or possess.

Home Department Notification No. 1012, dated 29th February 1892.

[Under this clause the Local Government has exempted all pensioned officers of the Opium and Telegraph Departments who were exempt before retirement.]

Notifications Nos. $\frac{471\text{-}1419}{\text{VI } 2\text{-}28}$, dated 20th February 1893 and 1st June 1893.

(9) the following personages and their retainers:—

(*a*) the ancient zamíndárs and poligárs of the Madras Presidency,

(*b*) the Deccan and Southern Mahratta country Sirdars;

(*c*) Rao Sheodarshan Singh of Gopalpura in the North-Western Provinces;

Home Department Notification No. 379, dated 27th February 1891.

(*d*) the great Sirdárs and Jagirdárs of the Panjab;

(*d*-1) such members of the Talpur family of Sind as the Government of Bombay may from time to time designate;

Home Department Notification No. 1063, dated 4th March 1892.

(*e*) the zamíndárs of the scheduled districts in the Central Provinces;

Home Department Notification No. 1745, dated 22nd November 1897.

(*f*) the great zamíndárs of Bengal;

Home Department Notification No. 1315, dated 2nd September 1886

Home Department Notification No. 379, dated 27th February 1894.

(g) the Mahant of Tirupati in the North Arcot District of the Madras Presidency and his retainers;

(h) the retainers of—

Maharaja Mahendra Mahendra Singh, C.I.E., of Bhadawar;

Raja Sir Dinkar Rao Mushir-i-Khas Bahadur, K.C.S.I;

Raja Rup Sah of Jagamanpur;

Raja Ram Singh of Rampura;

Raja Sardar Singh, Bahadur, of Katehra;

Raja Atma Ram Baba, Bahadur, of Gurserai;

His Highness Maharaja Sir Prabhu Narayan Singh, Bahadur, K.C.I.E., of Benares;

Raja Hari Raj Singh of Kashipur;

The Honorable Raja Udai Partab Singh, C.S.I., of Bhinga; and Raja Balwant Singh of Awa;

The Oudh retainers of His Highness Raja Jagatjit Singh, Bahadur, of Kapurthala, Raja-i-Rajagan;

Home Department Notification No. 1167, dated 6th July 1894.

Home Department Notification No 151, dated 11th July 1895.

Home Department Notification No. 1745, dated 22nd November 1893.

Raja Bhagwati Parshad Singh of Balrampur;

Raja Kishen Kumar of Sahaspur Bilari; Rani Satrupa Kunwar of Katiari;

[illegible]

each case:

Home Department Notification No. 379, dated 27th February 1894.

(10) landholders and members of municipal boards or committees of approved loyalty and of good position, according to lists that may, from time to time, be issued by the respective Local Governments;

[illegible] exemptions [illegible] native popu[illegible] man's char[illegible] other orde[illegible] grant invo[illegible] ld be prop[illegible] itute any [illegible] le, no names should be proposed unless their owners are entitled to attend his darbars. His Honor would not grant exemptions necessarily to all such darbáris, but would leave the [illegible] If a C[illegible] his Hor[illegible] ers shou[illegible] in their divisional list, and there are unquestionably some native gentlemen in every district on whom this privilege may fitly be conferred, although in certain districts the number fit for selection will be less than in others.

In Oudh the district lists will inevitably be scantier than those obtainable from districts of the North Western Provinces, inasmuch as most of the leading talukdárs in that province are Honorary Magistrates, and are therefore *ex officio* exempted.]

(11) all *heads of villages, ghatwáls, digwárs, and other rural police* in respect of such arms as the Local Government may, from time to time, notify to be necessary for the discharge of their police duties;

India's Notification No. 371, dated 18th February 1887.

[*Note.*—This clause does not apply to the Punjab]

(12) all persons of Coorg race; and all jama tenure-holders in Coorg who by their tenures are liable for police and military duties;

Home Department Notification No. 1168, dated 23rd July 1880.

(13) all subjects of the Baroda State who may transport arms or ammunition from one part of Baroda territory to another part of the same territory under a license granted by the Resident or Assistant Resident of Baroda;

(14) all *revenue officials and postal runners in frontier or wild* districts, where the superior departmental officers direct them to carry arms on duty;

(15) such subordinate officials of the Geological Survey of India as may from time to time be authorized by the Superintendent of the Geological Survey to possess or carry arms, the number and description of which should be specified in each case:

Home Department Notification No 1385, dated the 6th September 1880.

(16) the holders for the time being of the undermentioned offices—

Home Department Notification *No. 1754, dated the 19th October 1885.*

The office of Diwan of Edar in the Mahi Kánta Agency;

The office of Private Secretary to His Highness the Maharaja of Edar;

(17) all malikhana-holders in the Malabar District of the Madras Presidency·

(18) all persons to whom firearms have been presented by the Chief Commissioner of Burma:

Home Department Notification No. 69, dated the 15th January 1886. Home Department Notification No. 827, dated the 15th June 1883.

(19) Shan Sawbwas and other native Chiefs and their retainers, subject to such orders as the Chief Commissioner of Burma may issue regarding persons to be included in this category or the number of retainers in each case.

[*Note.*—In order to prevent needless annoyance being caused to the persons [illegible] every district officer should maintain a correct list of all [illegible]

G O No. 418, dated 1[illegible] April 1891.

[illegible]

In the case of stations bordering on another district, lists should be furnished of the exempted persons in the adjoining district also; and the police should, as far as possible, make themselves acquainted with the exempted persons in the adjoining district.

(c) weapons known as "Das" being of a kind intended exclusively for domestic, agricultural or industrial purposes, so far as regards Burma, and spears of all kinds, so far as regards the Arakan Hill Tracts;

Home Department Notification No 827, dated 15th June 1893.

(d) swords, daggers, spears, *kúkris*, *dháos*, so far as regards the Chief Commissionership of Assam,

(e) bows and arrows;

(f) spears of all kinds in Bengal and in the North-Western Provinces and Oudh, so far as regards districts or parts of districts which the Local Government may declare to come within this exemption; and

Home Department Notification No 201, dated 12th February 1884.

Note.—Fishing spears throughout the whole of the North-Western Provinces and Oudh

Spears of all kinds in the undermentioned districts and parts of districts:—

Government of India No. 210, dated 12th February 1884, and Notifications Nos $\frac{671}{VI-53-17}$ and $\frac{848}{VI-57}$ dated 24th June and 11th August 1884.

District.	*Part affected*
Bijnor	whole district.
Moradabad ...	ditto.
Sháhjahánpur	ditto.
Pilibhit	ditto.
Mirzapur	south of Sone
Kheri	whole district
Bahraich	ditto.
Gonda	ditto.
Etáwah	ditto.
Etah	ditto.

(g) kúkris, so far as regards the districts of Kumaun, Garhwál and Dehra Dún in the North-Western Provinces,

(h) uniform swords and dirks manufactured * in Europe of recognised military or official patterns, when possessed by, or intended to be supplied to, persons entitled to wear them as part of their uniform †

Home Department Notification No. 703, dated the 19th May 1882

*Home Department Notification No 1205, dated the 20th June 1890

†Home Department Notification No 429, dated the 22nd March 1895.

(i) swords imported for presentation as Army or Volunteer prizes;

Home Department Notification No. 957, dated the 23rd June 1882

(j) ornamental arms of an obsolete pattern possessing only antiquarian value, provided they are virtually useless for offensive and defensive purposes;

Home Department Notification No 531, dated the 31st March 1884

(k) spears and hunting knives in the Bombay Presidency, the Central Provinces and Coorg.

Home Department Notification No. 885, dated the 21st May 1885.

Under section 27 of the Indian Arms Act, 1878, the Governor-General in Council is pleased to exclude gunwads and wire cartridges from the operation of section 6 of that Act.

Home Department Notifications No. 541, dated the 29th April 18 , and No. 731, dated the 1.th April 1894.

(*c*) weapons known as "Das" being of a kind intended exclusively for domestic, agricultural or industrial purposes, so far as regards Burma, and spears of all kinds, so far as regards the Arakan Hill Tracts;

Home Department Notification No 827, dated 15th June 1893.

(*d*) swords, daggers, spears, *kúkris*, *dhdos*, so far as regards the Chief Commissionership of Assam;

(*e*) bows and arrows;

(*f*) spears of all kinds in Bengal and in the North-Western Provinces and Oudh, so far as regards districts or parts of districts which the Local Government may declare to come within this exemption; and

Home Department Notification No 201, dated 12th February 1884.

Note.—Fishing spears throughout the whole of the North-Western Provinces and Oudh

Spears of all kinds in the undermentioned districts and parts of districts.—

District.	*Part affected*
Bijnor	whole district.
Moradabad	ditto.
Sháhjahanpur	ditto
Pilibhit	ditto.
Mirzapur	south of Sone
Kheri	whole district
Bahraich	ditto.
Gonda	ditto.
Etáwah	ditto.
Etah	ditto

Government of India No. 210, dated 12th February 1884, and Notifications Nos $\frac{673}{VI-37-17}$ and $\frac{838}{VI-87}$ dated 24th June and 11th August 1884.

(*g*) kúkris, so far as regards the districts of Kumaun, Garhwál and Dehra Dún in the North-Western Provinces;

(*h*) uniform swords and dirks manufactured * in Europe of recognised military or official patterns, when possessed by, or intended to be supplied to, persons entitled to wear them as part of their uniform †

Home Department Notification No 701, dated the 19th May 1882
*Home Department Notification No. 1205, dated the 20th June 1890
†Home Department Notification No 459, dated the 22nd March 1895.

(*i*) swords imported for presentation as Army or Volunteer prizes;

Home Department Notification No. 957, dated the 23rd June 1882

(*j*) ornamental arms of an obsolete pattern possessing only antiquarian value, provided they are virtually useless for offensive and defensive purposes;

Home Department Notification No 533, dated the 31st March 1884

(*k*) spears and hunting knives in the Bombay Presidency, the Central Provinces and Coorg.

Home Department Notification No 885, dated the 21st May 1883.

Under section 27 of the Indian Arms Act, 1878, the Governor-General in Council is pleased to exclude gunwads and wire cartridges from the operation of section 6 of that Act.

Home Department Notifications No. 541, dated the 29th April 1887, and No. 731, dated the 19th April 1894.

Home Department No. 1572, dated the 29th August 1879

Under section 27 of the Indian Arms Act, 1878, the Governor-General in Council is pleased to exempt from the prohibitions and directions contained in section 6 of the said Act, such arms, ammunition, and military stores brought into an Indian port as may be declared under manifest to be consignments without transhipment to another port, provided such other port be not situate on the coast of India, between the most westerly point of India and the most southerly point of Burma, and provided such port be not a foreign port on the eastern seaboard of Africa.

This exemption will become void in the event of any of the articles claiming such exemption being landed at, or transhipped in, the port into which they may have been brought.

Home Department No. 75, dated the 14th January 1880.

Under section 27 of the Indian Arms Act, 1878, the Governor-General in Council is pleased to exempt from the prohibitions and directions contained in section 6 of the said Act, such arms, ammunition and military stores, brought into an Indian port as may be declared under manifest to be consignments without transhipment to another Indian port, provided that the port to which such arms, ammunition or military stores are consigned is one of the ports named in Rule 6.

This exemption will become void in the event of any of the articles claiming such exemption being landed at, or transhipped in, any port other than that to which the articles are consigned.

Home Department Notification No. 361, dated the 8th March 1882.

Arms, ammunition, and military stores brought into an Indian port, and declared under manifest to be consignments without transhipment to any port on the seaboard of the Persian Gulf, will in terms of the notification of the Home Department No. 1572, dated 29th August 1879, be exempt, until further orders, from the prohibitions and directions contained in section 6 of the Indian Arms Act, 1878.

III.—The Governor-General in Council is pleased, under section 27, to withdraw from the operation of prohibitions and directions contained in the Act certain tracts as follows:—

(a) all scheduled districts in the Madras Presidency from all prohibitions and directions, save in respect to rifled arms and cannon, and except those directions contained in sections 12 and 25;

(b) the Chittagong Hill Tracts of Bengal from the prohibition and directions contained in sections 13 and 14;

Home Department Notification No. 1472, dated the 18th September 1891.

(c) all scheduled districts in the territories administered by the Lieutenant-Governor of the Punjab, except the following tracts, namely:—

(1) the Hazára district excluding (a) the jagir of the Nawáb of Amb, commonly known as Feudal Tanáw

(including the Phulera jagir), and (b) certain tracts and villages on the Hazára frontier specially notified by the Local Government,

(2) the Cis-Indus tahsíls of the Bannu and Dehra Ismail Khan districts, and

(3) Cantonments and Municipalities in the Bannu, Dehra Ismail Khan, and Dera Gházi Khan districts,

rom all prohibitions and directions contained in section 13:

Provided that with respect to the Trans-Indus tahsíls of the Bannu and Dera Ismail Khan districts, and to the Dera Gházi Khan district, the operation of the Act is not hereby withdrawn s to—

(i) arms known as pistols and daggers, or

(ii) arms of any kind as regards the class or persons known as Trans-Border Pathans:

(d) all scheduled districts in the territories administered by the Lieutenant-Governor of the Punjab, except the following tracts, namely:—

the Házára district excluding (a) the jagir of the Nawáb of Amb, commonly known as Feudal Tanáwal (including the Phulera jagir), and (b) certain tracts and villages on the Hazára frontier specially notified by the Local Government,

from all prohibitions and directions contained in section 14.

(e) in the North-Western Provinces, the parts of the Mirzapur district on the right bank of the river Sone, from the prohibitions and directions contained in section 14.

Home Department letter No 2306, dated 20th December 1892.

(f) the mahál of Angul in the Lower Provinces of Bengal, from the prohibitions and directions contained in sections 13 and 14,

Home Department No 2356, dated the 31st December 1879.
Home Department Notification No. 699, dated the 20th April 1895.

(g) Ajmere and Mhairwara, from the operation of all prohibitions and directions contained in sections 13 and 14, except in so far as they relate to cannon:

Foreign Department No. 140-I. J., dated the 11th June 1879.

(h) the lands ceded to the British Government by the Bahawalpur State, which are occupied by the North-Western Railway, and lie between the stations of Bahawalpur

Home Department Notification No. 496, dated the 14th April 1893.

and Walhar, from the prohibitions and directions contained in sections 13—16: Provided nevertheless that no person who shall refuse or neglect to comply with the regulations or rules of the railway for the time being in force regarding the custody of arms while in passenger trains shall be entitled to the benefit of this exemption.

IV.—In exercise of the powers conferred by section 4 of the Indian Arms Act, 1878, the Governor-General in Council is pleased to extend—

Home Department Notification No 508 dated the 1st March 1888

(a) all sections of the Act to sulphur in quantities exceeding, in Burma, one seer, and elsewhere throughout British India, ten seers;

(b) sections, 6, 10, 11, 12, 17, 19, 20, 22, 24, 25, 26 and 28 of the Act to all saltpetre and lead (except sheet lead used for the purpose of packing tea) in all districts on the external land frontier of British India and throughout Burma, and

(c) all sections of the Act to all saltpetre and lead in the district and port of Aden.

Home Department Notification No. 2630, dated the 3rd October 1888.

In exercise of the powers conferred by section 4 of the Indian Arms Act, 1878, the Governor-General in Council is pleased to extend sections 5, 7, 14 and 16 of the said Act to all saltpetre and lead (except sheet lead used for the purpose of packing tea) throughout Burma.

Home Department Notification No. 734, dated the 19th April 1891.

In exercise of the powers conferred by section 4 of the Indian Arms Act, 1878, the Governor-General in Council is pleased to declare that leaden bird-shot and bullets, when possessed in quantities exceeding 1 cwt. at any one time, throughout India, and in any quantity in Burma, shall be deemed to be military stores, within the meaning of the said Act, and shall be subject to the same restrictions as those placed on lead by clause (b) of Home Department Notification No 508, dated the 1st March 1888.

Home Department No. 1016, dated 26th May 1879

Under section 17 of the Indian Arms Act, 1878, the Governor-General in Council is pleased to determine that licenses to import arms or ammunition and military stores in Aden shall be subject to the condition that such articles shall be landed at the Maala Pier only, and shall [illegible] the importers to the Govern[illegible] to time by the Resident for

V.—The Governor-General in Council is pleased, under section 11, to sanction the establishment of searching stations, under section 11, at—

(a) the land custom houses near the boundary line between British India and the French Settlements on the eastern and western coasts and the Portuguese Settlements on the western coast.

The Governor-General in Council is pleased, under section 9, to direct that at the said land custom houses the duties specified in the second schedule shall be levied.

VI.—The Governor-General in Council is pleased, under section 17, to make the following rules determining the officers by whom, the form in which, and the terms and conditions on and subject to which, licenses shall be granted :—

RULES.

Transport, Import and Export.

1. No cannon, articles designed for torpedo service, war-rockets, or machinery for the manufacture of arms and ammunition, shall be imported into British India or transported over any part of [illegible] the Governor-General in [illegible] to the Government of [illegible] cense shall be in form [illegible] be at once communi- [illegible] the Political Officer of [illegible]

2 No arms or ammunition or military stores shall be transported in any part of British India without a license in form II appended to these rules. If the articles are despatched from Calcutta, Madras or Bombay, the license will be granted by the Commissioner of Police ; in all other cases the license will be granted by the Magistrate of the district. If the articles are to be consigned to a place beyond the jurisdiction of the officer granting the license, the consent of the Magistrate of the district to which the consignment is made must be obtained before the license is issued. Such consent may be obtanied by the person applying for the license ; or the Police Commissioner, or District Magistrate, to whom application for the license is made, may forward the proposed license to the officer whose consent is required ; and, on receiving reply, should either issue the license to the applicant, or inform him that his application for a license to transport arms, &c., had been refused. The fee payable in respect of every such license shall be ten rupees.

India's Notification No. 114, dated 25th January 1883.

Home Department Notification No. 1100, dated 10th August 1893.

Every consignment of arms or ammunition or military stores transported in any part of British India by railway shall be conspicuously marked with the words "Arms," "Ammunition" or "Military Stores," as the case may be, in such a manner as to be readily recognizable by the railway authorities. A copy of the license to transport the articles shall be attached to the way-bill when the consignment is booked as a parcel and to the invoice when booked as goods, and no consignment shall leave the railway premises without the contents being verified and compared with the license by the Railway Police at the place of delivery. Telegraphic advice of every such consignment shall be sent to the receiving station by the railway authorities at the forwarding station.

G. O. No. $\frac{38}{2055}$, dated 9th November 1883.

[*Note.*—Although the word "transport," as used in the Indian Arms Act, XI of 1878, would, in a certain sense, include every movement from place to place, yet the Government of India considers that, looking to the general objects of the Act, and the difficulties which might result from construing the word in its widest sense, [illegible] it is reasonable [illegible] be easy to define [illegible] the removal of [illegible] arms imported [illegible] for the removal of ammunition from one magazine and warehouse to another [illegible] same locality.]

3. Persons lawfully entitled to possess arms, or to go armed, are permitted to transport, in any part of British India, arms or ammunition in reasonable quantities for their own use. Any person abusing this exemption, and transporting such articles otherwise than in reasonable quantities for his own use will be held to have contravened this rule, and will, on conviction, become liable to the penalties under sections 18 and 19.

India's Notification No. 474, dated 22nd March 1882.

3(*a*). A person licensed to possess arms, ammunition or military stores, or who is exempted from the liability to take out such a license, is entitled to transport to his residence, from the premises of a licensed dealer, arms, ammunition or military stores without a separate transport license, so long as the articles purchased are in reasonable quantity and for his own use. A licensed dealer in arms, ammunition or military stores may supply the order of any such person, and may, without a separate transport license, send or despatch, in any way desired, to the residence of the purchaser, the articles ordered by such person, so long as they fulfil the requirments of rule 3, and are legibly addressed to the person for whom they are intended.

4. [illegible] license to transport [illegible] ammunition or military stores [illegible] any place short of the [illegible] license to transport shall [illegible] twice the period actually required for the conveyance of the articles to their destination by the intended route.

[*Note.*—In order to avoid the possibility of transport licenses being used more than once, the time for which such licenses are valid should invariably be entered in the proper [illegible] ... y in the case of ... rough any part of ... period as may be

Circular No. 140, dated 4th October 1879.

5. No license shall be granted, save by the special order of the Governor-General in Council, certified under the signature of the Secretary to the Government of India in the Home Department, for the importation into British India by sea or river or land, or for exportation from British India by sea, of any cannon or of any rifles or parts of or fittings for rifles, except rifles or parts of or of fittings for rifles of such quality or in such quantity as may reasonably be held to be intended for *bonâ fide* sporting purposes.

India's No 1842, dated 10th October 1879.

6. Licenses to import or export arms, other than cannon or rifles not excepted as in the next foregoing rule, ammunition or military stores by sea, may be granted at the ports of Calcutta, Madras, Bombay, Rangoon, Calicut, Karachi, Aden, and for no other ports, *except that at the ports of Akyab and Molmien licenses for the import of saltpetre and lead only may be granted. They shall be granted by the Commissioners of Police in respect of each presidency town, and by the Magistrate of the district in respect of Rangoon, Molmein, Akyab and Karachi. The fee payable in respect of each such license shall be ten rupees, and the licenses shall be in the forms III and IV appended to these rules. It shall be a condition of such licenses that the arms and ammunition or military stores imported shall either be deposited in a warehouse appointed under section 15 of the Sea Customs Act, 1878, or in a warehouse licensed under section 16 of the same Act and sanctioned in this regard under section 7 of the Indian Arms Act, 1878, or that they shall be at once despatched to their destination under a separate license to transport.

* Home Department Notification No. 115, dated 25th January 1882.

Home Department Notification No. 1427, dated 28th August 1891.

6(*a*). In the case of arms other than cannon or rifles not excepted as in rule 5, ammunition or military stores imported under license into a British port, and exported thence to another British port named in rule 6 or in rule 6B, the necessary licenses for such re-export and import may be granted on payment of a fee of one rupee (each) instead of ten rupees. Such licenses shall be in forms III and IV appended to these rules.

Home Department No. 1601, dated 30th August 1879.

6(*b*). Licenses to import by sea from Madras into the ports of Calicut, Tuticorin, Cochin, Bimlipatam, Coconada, Negapatam, Mangalore, Gopalpur, Vizagapatam, Pamban, and Masulipatam, and from Rangoon into the ports of Akyab, Moulmein, Sandoway Kyouk-phyoo, Tavoy and Mergui, may be granted by the Magistrates of the districts in which those ports are respectively situated, in respect of arms other than cannon or rifles not excepted by

Home Department No. 483, dated the 7th March 1824.

rule 5, ammunition or military stores. The fee payable in respect of each such license shall be one rupee, and the license shall be in form III appended to these rules.

Home Department Notification, No. 865, dated 8th June 1882.

6(c). Licenses to import into British India, by land or river, arms (other than arms for which the Governor-General in Council is to issue licenses under rule 5), ammunition or military stores may be granted by the Magistrate of the district to which such arms, ammunition or military stores are consigned; or if such arms, ammunition or military stores are consigned to a presidency town, by the Commissioner of Police. The fee payable in respect of each such license shall be Rs. 5; but officers granting such licenses are empowered to remit the fee when the arms, ammunition or military stores are of a reasonable quantity, and such officers are satisfied that they are required *bonâ fide* for purposes of protection of person or property. In the case of arms, ammunition or military stores imported from a native state, a copy of the license shall be sent by the officer granting it to the Political Officer of the state from which they are to be imported. If the district to which the arms, ammunition or military stores are consigned is other than a frontier district, and they are to cross the frontier by road or river, a copy of the license shall also be sent to the Magistrate of the frontier district, who shall, if he thinks necessary, before permitting the arms, ammunition or military stores to leave his district, require the holder of the license to produce them for his inspection. In cases in which the arms, ammunition or military stores are to cross the frontier by rail, a copy of the license shall be sent to the railway authorities at the place to which the arms, ammunition or military stores are to be conveyed by railway. The railway authorities shall in every such instance satisfy themselves before delivery that the arms, ammunition or military stores claimed by any consignee correspond with the description given in the original license, which must be produced by him, and also that the license is identical in substance with the copy sent to them by the officer granting it. If the license is not produced, or the arms, ammunition or military stores claimed do not correspond with the description in the license, the railway authorities shall give immediate notice of the fact to the nearest Magistrate. Nothing in this rule applies to import into the district of Ajmere.

The license shall be prepared in form III-A appended to these rules.

6(d). Notwithstanding anything in rule 6—

the Secretary to the Government of India in the Foreign Department, or any officer specially empowered by the Governor-General in Council in this behalf,

Home Department Notification No. 1303, dated the 6th September 1895.

may grant a license to export ammunition or military stores, or to export arms, other than cannon or than such rifles as come within the operation of rule 5 of these rules, from the port of Calcutta,

Madras, Bombay, Rangoon, Calicut, Karachi or Aden to any port in a native. state in India or to any foreign port in foreign territory :

Provided that no license shall be granted under this rule to export ammunition, military stores or arms as aforesaid to any port on the coast of Arabia other than a port within the area of the political jurisdiction of the Political Resident at Aden, or of the Political Resident in the Persian Gulf or of the Political Resident in Turkish Arabia :

Provided also that no officer, other than the Resident at Aden, shall be specially empowered under this rule to grant a license to export ammunition, military stores or arms as aforesaid to any port on the coast of Africa or Arabia which is within the area of the political jurisdiction of the said Resident at Aden.

7. Licenses to export cannon,* arms or ammunition or military stores by land or by river to any place beyond the frontier of British India or to any place within the limits of the feudatory states, and licenses to import arms or ammunition or military stores into, or to export the same out of, the district of Ajmere, may be granted by the Secretary to the Government of India in the Foreign Department, or by any other officer especially empowered by the Government of India to grant them.

Home Department Notification No 1892, dated the 25th November 1881.
*Home Department Notification No 1802, dated the 1st December 1893.

Licenses to export arms or ammunition or military stores by land or by river to any place within the political jurisdiction of the Governments of Madras and Bombay may be granted by the Secretaries to the Governments of Madras and Bombay respectively, † copies of such licenses being sent to the Foreign Department of the Government of India for information. These licenses will be valid only for the state named in them, and no export beyond the limits of that state can be permitted under them.‡

† The submission of copies of licenses has been discontinued and half-yearly returns of arms, ammunition or military stores exported under this rule are now furnished to the Foreign Department.

Foreign Department Circular No. 3762 I., dated the 6th November 1885.

‡ [NOTE.—Similar powers have been conferred on the Secretaries to the Governments of Bengal, the North-Western Provinces and Oudh, and the Panjab, and the Chief Commissioner of the Central Provinces.]

Foreign Department Resolution No. 2129-I., dated the 30th May 1889.
Foreign Department Resolution No. 1023-I., dated the 1st May 1893.

Licenses granted under this rule will be prepared in form V, and be charged with a fee of rupees five except in such cases as the Government of India in the Foreign Department may grant exemption from, or reduction of the prescribed fee. Licenses to import arms, ammunition or military stores into Ajmere will also be granted in form V, the word export in the heading of the license being changed into import.

Copies of such licenses shall be sent on the day of issue to the Political Officer of the state to which the articles are to be exported, and in the case of imports into Ajmere to the Commissioner of the district. Copies shall also be sent to the Magistrate of the frontier district if the articles are to cross the frontier by road or river. If the articles are to be carried across the frontier by rail, a copy of the license should, in the case of consignments despatched from Presidency Towns, be sent to the Commissioner of Police, and in other cases to the Magistrate of the district from which the articles are to be despatched. In such cases the Commissioner of Police, or the Magistrate of the district, as the case may be, should at once forward a copy of the license to the railway authorities at the place of despatch. No railway Company shall receive for despatch, any box, package or bale containing arms, ammunition or military stores as defined in the Arms Act and the rules framed thereunder, unless covered and accompanied by the original license granted under these rules; and the railway authorities shall in every instance satisfy themselves that the goods tendered to them [illegible] given in such license, and [illegible] warded to them by the [illegible] district.

Circular No 2, dated 14th January 1882.
Circular No. 20, dated 30th May 1883.

[*Note.*—Under this clause it is optional with the applicant who desires a license to export arms, &c., beyond the frontiers of British India, to address the Government of India direct.

[illegible] n or military stores should, in [illegible] or Political Officer concerned [illegible] to the export of the consign- [illegible]

A copy of this assurance should accompany the application to the Government of India for the issue of the license. Dealers in arms, &c., should be informed accordingly.

They should then apply, either direct or through the Local Administration or Political Officer, to the Secretary to the Government of India in the Foreign Department, for the issue of a license, enclosing the written assurance mentioned in the foregoing paragraph Each application should be written on an "impressed stamp" of the value of Rs. 5.

The application should contain the following particulars :—

(1)—The name and description of the license-holder and agent, if any.

(2)—The number of packages in which the consignment will be conveyed.

(3)—The description and number of the arms to be exported.

(4)—The description and weight, or number, of the ammunition or military stores to be exported.

(5)—The place of despatch and the *exact route* by which the consignment will travel.

(6)—The purpose for which the consignment is required.

(7)—Its destination.

(8)—The name and residence of the consignee in full.

(9)—The probable time that will be occupied by the journey.

If these conditions are observed in their entirety, the Government of India will be enabled to issue licenses without the considerable delay that their neglect occasions]

Act.

Government of India, No. 1816I, dated 2nd June 1890, and G. O. No. 1580/VI—282B, dated 19th June 1890.

The District Magistrate of Meerut has also been authorized to grant licenses for the export of arms and ammunition to Kurram and for the export of ammunition to native feudatory states and to Ajmere, subject to the following conditions:—

Foreign Department No. 3124, dated 16th December 1893, and No. 362I, dated 23rd January 1891.

(a) The consignment for export must consist only of sporting arms and ammunition in reasonable quantities for the personal use of the consignee.

(b) T[illegible] mentioned in [illegible] *,) dated the [illegible] quent notifi-

(c) In all cases in which it is doubtful whether the consignee belongs to one of [illegible]

(d) The licenses will be granted free of charge.

(e) The Magistrate should keep a list of all licenses issued by him.

(f) The Magistrate should be guided by the existing rules relating to export [illegible]

Copies of licenses covering consignments to states in Central India or Rájputána should also be sent to the Agents to the Governor General in Central India and Rájputána respectively.

India's No. 1171 P, dated 31st January 1890, and Foreign Department No. 759G, dated 20th September 1892.

[illegible]

In all cases copies of the licenses granted under this order should be forwarded to the Foreign Department of the Government of India.

The applications of native chiefs (who dwell outside British India, but who purchase ammunition in British India and export it to their own territories) for licenses under this rule are exempted from the fees usually levied.

Circular No. 36, dated 22nd June 1881, forwarding India's (Foreign Department) No. 445T.P., dated 21st May 1881.

All applications for the licenses described in the above paragraph should be submitted *direct* to the Secretary to the Government of India, Foreign Department, and not through the Local Government.

* See page 8 of this Part of the Manual.

† For a list of the proper political authorities of the states in the Panjab see p. 81 *infra*.

Foreign Department No. 2783-I., dated 8th July 1883.

. . . .

except under the restriction mentioned below.

. . . .

any arms that may be imported.

Home Department Notification No. 865, dated 8th June 1882.

Home Department Notification No. 450, dated 22nd March 1893.

7(*a*). Nothing in rules 5, 6, 6*c* or 7 shall be deemed to authorize the grant of licenses—

(*a*) to import any arms, ammunition or military stores from Portuguese India;

8. Persons desirous of transporting, importing by land or river or exporting arms, ammunition or military stores, must apply in writing to the nearest officer authorized to grant such licenses. The application must specify—

(*a*) the place to which the articles are to be transported, imported or exported; the route of transport, import or export, and the probable time that will be occupied in the journey;

(*b*) the quantity, description, average price and the purpose of each kind of arms or ammunition; or

(*c*) in the case of transport or export, whether the applicant has obtained the consent of the Magistrate or Political Officer of the place of consignment. (*If so, the evidence of such consent must be produced.*)

Transport through foreign territory, G. O. No. 1336/17-64A, dated 15th July 1887.

In the transmission of arms, ammunition and military stores from one British district to a . . . export an . . . license for . . . license to . . .

Whenever such a case arises a copy of the original license for export should be communicated by the issuing officer to the Magistrate of the place to which the consignment is ultimately destined.

9. Persons transporting, importing by land or river, or exporting arms, ammunition or military stores under a license, must write legibly on the cases or packages containing such articles an account of their contents.

10. In the case of transport or import by land or river, the consignee must, within six days of the articles reaching their destination, deliver the transport or import license to the Magistrate of the district, or in the case of a presidency town, to the Commissioner of Police. In the case of articles crossing the frontier of British India by road or river, (1) the export license must, within six days of the consignment reaching the frontier district, and before it leaves British territory, be delivered* by the consignee or his agent, or, if the arms, ammunition or military stores are in charge of any person travelling with them, by that person to the Magistrate of the frontier district, or other officer empowered by him on this behalf; (2) the import license must, within six days of the consignment entering British territory, be shown to the Magistrate of the frontier district, or other officer empowered by him on this behalf.

*Home Department Notification No. 997, dated 1st June 1894.

The officer to whom the transport, import or export license, as the case may be, may be delivered, must satisfy himself that the articles correspond with the entries in the license and that any deficiency is properly accounted for.

10A. Licenses may be granted to persons without payment of any fee in all districts on the external land frontier of British India and in the seaboard districts of Burma, entitling the holder to import or transport lead† in reasonable quantities, when the same is proved to the satisfaction of the officer granting the license to be required *bonâ fide* for manufacturing or industrial purposes, and to import and transport saltpetre in reasonable quantities when the same is proved to the satisfaction of the officer granting the license to be required *bonâ fide* for manufacturing, medicinal or industrial purposes.

Home Department Notification No 1882, dated the 29th November 1882.

†Home Department Notification No 1365, dated the 14th September 1883.

10B. In the case of arms, ammunition or military stores brought into the ports of Calcutta, Madras, Bombay, Rangoon, Calicut, Karachi and Aden, and declared under manifest to be consignments without transhipment for ports not covered by the exemptions granted under Home Department Notifications No. 1572 of the 29th August 1879, and No. 75, dated 14th January 1880, a license in the form VA annexed, covering the import and export of such consignments, shall be granted free of fee. Also, that a license in the form VB annexed shall in like manner be granted free of fee in the aforesaid ports of Calcutta, Madras, Bombay, Rangoon, Calicut, Karachi and Aden, to cover the transhipment of arms, ammunition or military stores destined for other ports; provided that, if it is necessary to land any consignment in the course of transhipment, it shall be placed in bond, such fees being paid for stowage and other expenses as the Chief Customs authority may prescribe.

Home Department Notification No. 674, dated the 4th April 1884.

MANUFACTURE AND SALE.

Home Department, Notification No. 847, dated 19th June 1893.

11. Licenses to manufacture, convert, keep and sell arms or ammunition or military stores, may be granted by Commissioners of Police in the presidency towns, and by the Magistrate of the district outside those towns. They shall be in forms VI and VII appended to these rules. The fee payable in stamps shall be twenty rupees in respect of license to manufacture, convert and sell, and ten rupees in respect of licenses to keep and sell arms, ammunition or military stores. Every license-holder under this rule shall keep, in such form as the Local Government may from time to time direct, registers of all arms manufactured or converted, of all ammunition and military stores manufactured, of all stock in hand and of all sales. He shall exhibit his stock and his registers on demand by any Magistrate, or by any police officer not below the rank of Inspector. Magistrates and all police officers not below the rank of Inspector are hereby empowered to enter and inspect any premises within their several jurisdictions in which arms or ammunition or sulphur are manufactured or kept, and to examine the stock and accounts of receipts and sales of arms, ammunition and military stores. Any person licensed to sell arms and ammunition shall affix on a conspicuous part of his shop or usual place of business, a signboard on which shall be painted in large letters in English, or in the vernacular of the district, his name and the words "licensed to manufacture," or "licensed to deal in arms, ammunition and military stores," as the case may be. He shall also post up in his shop a copy of section 28 of the Indian Arms Act either in the vernacular of the district or in English.

Repairing arms—India's No. 67/[illegible], dated 15th December 1881.

[When a person who repairs arms is also a maker of arms, it is necessary under the existing law that he should provide himself with a license in the latter capacity. In regard to persons in the position of an ordinary blacksmith or others who may have arms in their temporary keeping for purposes of repair, it formed no part of the intention of the Arms Act to require licenses to be taken out and no license will be required merely for carrying on the business of repairing arms.]

POSSESSION OF ARMS AND GOING ARMED.

12. Licenses to possess cannon shall not be granted, save under the special order of the Governor-General in Council, certified under the signature of the Secretary to the Government of India in the Home Department. A copy of such license, so certified, must be sent immediately on its issue to the District Magistrate of the place where the cannon is to be kept.

13. Licenses to possess arms and ammunition in reasonable quantities and to go armed for purposes of sport, of protection, or of display, may be granted by the Commissioner of Police in the presidency towns, and by the Magistrate of the district outside those towns, in form VIII. Such licenses shall be liable to a fee of eight annas for each weapon in disarmed districts, and to a fee

of four annas for each weapon in districts which have not been *disarmed*. Such a *license will* authorize its holder to carry the arms described in the license on occasions when they may be reasonably required for the purposes named in the license. But the holder, unless specially authorized by the Magistrate, must not go armed in railway carriages, to fairs, religious processions or other public assemblages.

Licenses granted under this rule shall, on countersignature by the Commissioner of the division, or other officer authorized in this regard by the Local Government where there are no Commissioners, be valid for such districts of the Local Government within the territories of which the license may have been granted as may be specified by the countersigning officer.

Home Department Notification No. 459, dated 22nd March 1895.

Talukdárs who hold property in different districts should be granted licenses in one district only, viz. that in which each has his principal residence. When countersigned by the Commissioner the license will hold good for the whole province

G. O. No. 840, dated 27th June 1881, and No. 953, dated 21st July 1881.

In the case of retainers [unless especially exempted under paragraph I, clause (9) of India's No 518 dated 6th March 1879], a separate license should be taken out on a separate fee in the case of each servant of a native gentleman who carries arms when working for his master, but who is not in attendance on him.

G. O. No. 2, dated 15th January 1880.

When native gentlemen of the better class are going on a journey by train to pay ceremonial visits to His Honor, or on occasions when it is reasonable that their followers should be armed for purposes of display or protection, district officers may grant them a special permission for this purpose This should be in writing, and should specify the places where the holder will stop, the number of armed followers he may take with him, and the time for which the permission is to hold good

No precise instructions are required as to the class of persons to whom this privilege may be extended, but in no case should it be accorded to any one except those entitled to attend His Honor's darbárs

Circular No. 23, dated 3rd May 1880.

13A. Licenses to possess and carry arms in places to which section 15 of the Indian Arms Act, 1878, applies, may be granted by the District Magistrate, and in a presidency town by the Commissioner of Police on plain paper and without fee, to the heirs of persons to whom arms have been presented by, or under the orders of, Government in respect of any such arms which they may inherit. Such licenses shall be granted in form VIII prescribed by rule 13.

Home Department Notification No 620, dated 17th April 1884.
Home Department Notification No. 459, dated 22nd March 1895.

14. Any Commissioner of Police or Magistrate of the district may grant a license in form IX for a journey, specifying the direction of the journey and the period it will occupy. Such license will be valid in other jurisdictions only for such journey and for such period, and will be liable to a fee of four annas for each weapon. Political Agents may grant licenses under this rule to natives of the state where they may be serving, and such licenses granted for journeys by Political Agents shall be liable to no fee. Holders of licenses under this rule, unless especially authorized by the officer granting the licenses, must not go armed in railway carriages to fairs, religious processions or other public assemblages.

Home Department Notification, No. 1264, dated the 29th August 1895.

When a Commissioner of Police or Magistrate of a district receives an application for a license in form IX from a person who is not resident within his jurisdiction, or is not personally known to him, he shall, before granting the license, ascertain from the Commissioner of Police of the Presidency Town, or the Magistrate of the district, or the Political Officer for the foreign territory, in which the applicant resides, whether there is any objection to the grant of the license, unless for reasons to be recorded he considers this precaution to be clearly unnecessary.

Foregin Department No. 2733-I, dated 8th July 1889.

In future no Political Officer shall, under any circumstances, issue a license in form IX covering more than 30 armed retainers without previous reference to the Local Government of the province in which the licensee proposes to travel. In the event of a Local Government dissenting from the recommendation of a Political Officer not serving directly under their orders, it would still be open to him for sufficient reasons to refer the matter for the consideration of the Government of India.

India's No. 4484I., dated 19th December 1884.

A copy of every such license granted by Political Agents shall be forwarded in good time to the Commissioner of the division in which the person or persons holding the license proposes to travel.

15. Licenses to *possess* fire arms or ammunition or military stores in districts which have not been disarmed may be granted in form X without fee. Such licenses will not authorize the holders to go armed or to carry arms. In districts which have not been disarmed, as well as in disarmed districts, licenses to possess and carry arms (form VIII) will be liable to fees as stated in rule 13.

16. Licenses for possession of arms and ammunition may be granted in form XI without fee, and for a term of five years, to persons who require arms for the destruction of wild animals which do injury to human beings, cattle or crops. Such licenses will be valid only in or on the immediate confines of the district for which it is granted. It will be subject to the conditions that the license and the weapon it covers is shown once a year, between the 15th November and the 31st December, to the nearest Magistrate; that the weapon becomes confiscated to Government directly it is sold or seized in execution of any debt; and that such weapon is carried only on occasions when it is to be used *boná fide* for the destruction of wild animals. Holders of licenses under this rule must not go armed in railway carriages, to fairs, religious processions or other public assemblages.

G. O. No. 1007, dated 24th August 1880.

[*Note.*—The sanction of the Commissioner must be previously obtained by the Magistrate to any restrictions which he may desire to impose in the grant of licenses to *shikaris*.

In order to cover the cases of Government arms which in some provinces it may be the custom to lend to private persons for the destruction of wild animals or for any other reason, a note giving the distinguishing marks and description of the arms lent should be made in the license]

Home Department No. 537, dated 10th March 1891.

16A. Licenses may be granted to contactors,* cultivators, and other persons, without payment of any fee, entitling the holder to possess and transport gunpowder and fuses in reasonable quantities, when the same are proved to the satisfaction of the officer granting the license to be required *bonâ fide* in the case of licenses granted to contractors for blasting purposes and in the case of licenses granted to cultivators and persons for similar purposes in connection with agricultural works or works of public utility. Such licenses shall be given in form No XII appended to these rules.

Home Department Notification No 1311, dated the 1st September 1882.
*Home Department Notification No 1448, dated the 15th September 1882.

16B. [illegible] ors and other persons without pa[illegible] holder to transport dynamite, [illegible] caps in reasonable quantities when the same are proved to the satisfaction of the officer granting the licenses to be required *bonâ fide* for blasting purposes. Such licenses shall be given in form No. XII appended to these rules.

Home Department Notification No 100, dated the 24th January 1881.

16C. Licenses for the importation, possession or transport of sulphur, proved to the satisfaction of the Local Government or Administration concerned, to be intended only for *bonâ fide* medicinal,† manufacturing or agricultural purposes, may be granted without payment of any fee. This concession does not extend to sulphur intended for the manufacture of gunpowder or of ammunition generally, as defined in section 4 of the Indian Arms Act, 1878 (Act No. XI of 1878).

Home Department Notification No 1617, dated the 7th October 1881.

†Home Department Notification No 1194 dated the 7th August 1882
Home Department Notification No 1940, dated 11th December 1882.

16D. The Governor-General in Council is pleased to declare that, so far as the district of Ajmere-Mhairwara is concerned, the licenses referred to in rules 1, 5 and 12 shall in future be granted under the signature of the Secretary to the Government of India in the Foreign Department.

Home Department No. 1814, dated the 1st October 1879.

GENERAL.

17. The fees leviable under these rules shall be taken in the shape of "impressed stamps." Ordinarily the application for licenses or renewals of licenses shall be written on "impressed stamps" of value equal to the amount of fee leviable in respect of such licenses or renewals; and the licenses will be issued on plain paper. But when the licenses themselves are written or printed on "impressed stamps," the applications may be on plain paper. When an application for a license is written on an "impressed stamp," and the license is refused, the value of the stamp will be refunded to the applicant.

Home Department No. 1253, dated 11th July 1879.

Home Department Notification No 1258, dated 11th July 1879.

18. Applications for licenses in respect of which no fee is leviable, or regarding licenses on which the full fee has been paid, shall be considered to be applications within the meaning of schedule II, article 1, clause (a) of the "Court-fees Act, 1870," and shall bear a court-fee stamp of one anna.

[*Note.*—In these provinces the applications for licenses or for the renewal thereof, and not the licenses themselves, must be written on impressed stamped paper; and when the application is refused and refund of the stamp is given, a deduction of one anna must be made on account of the value of the paper.]

19. All licenses under rules 11 and 13 shall expire on the 31st December of the year for which they may be issued; licenses under rule 15 shall expire on the 31st December of the fifth year of their currency. But the currency of a license may be renewed, previous to its expiration, on payment of a second fee, by the same authority that granted it.

Home Department Notification No 1435, dated 15th September 1882.

19A. When a license granted in accordance with these rules is lost or accidentally destroyed, a duplicate may be granted to the licensee on payment of the same fee as he paid on the original license if not in excess of one rupee, and in any other case on payment of a fee of one rupee.

Cultivators or other persons, to whom licenses may have been granted without payment of any fee, may obtain duplicates of such licenses, if lost or destroyed, free of all fee.

20. All licenses shall be given and held subject to the conditions endorsed on the reverse, and subject to these rules and subject to the provisions of the Act. Licenses under rules 13 and 16 may be granted subject to the observance of a close season in the pursuit of game-birds or animals that do not injure either men or cattle or crops The limits of the close season will be decided by the Local Government, and the condition regarding such close season, if imposed, shall be endorsed on the reverse of the license.

21. Any person holding a license, or acting under a license granted in accordance with these rules, shall be bound to produce the same when called upon to do so by any Magistrate, or by any police officer in charge of a police station, or by any police officer of higher rank.

22. Licenses granted for use within a district shall be written or printed in the vernacular language of such district. Licenses granted in a presidency town, or for use beyond the district where they may be granted, shall be in English and may be in the vernacular as well.

23. The Assistant Resident at Aden shall exercise the powers of a Magistrate in respect of the grant of licenses under these rules.

24. A license granted under these rules will cover only the weapons or other articles and the persons named therein, unless the officer granting a license under rule 13 or 14 deems it expedient to include the retainers of any person named in the license; in such case the entry on the face of the license shall declare how many and whose retainers are covered by the license.

25. Any officer empowered to grant a license under these rules may at his discretion refuse to grant, to renew or to consent to the issue of a license, or may refer any application for the orders of the Local Government.

26. All Magistrates or other authorities acting under these rules will perform their duties subject to the control of their executive superiors and of the Local Government.

Form I.

License to import or transport or possess cannon, articles designed for torpedo service, war-rockets, or machinery for the manufacture of arms or ammunition

Name, &c., of license-holder and agent, if any, with residence, &c.	No of packages	Specification of calibre, &c., of cannon or other articles.	Number of articles.	Place of despatch and route	Destination	Name and residence of consignee	Time for which pass is valid	Use to which articles are to be put, and specification whether the license covers importation or transport or possession.
							From the ________	
							to the ________	
							________189 .	

____
____
________189 .

Date on which copy is sent to the District Magistrate of the district or to the Political Officers of the state to which the articles are consigned.
________189 .

____
Secy. to the Govt. of India, Home Dept.

This license is subject to all the provisions of the "Indian Arms Act, 1878," and of the rules framed thereunder.

This license will be void after the expiration of the period named, or if bulk is broken before reaching the place of destination.

The articles covered by this license will be delivered only to persons lawfully entitled to possess them.

This license must be delivered to the Magistrate of the district to which the articles are consigned, or to the Magistrate of the district where the external frontier of India is to be crossed, and the articles must be available for exhibition to such Magistrate within six days of the consignment reaching his district.

Form II.

FEE, TEN RUPEES IN STAMPS.

License to transport arms, ammunition or military stores in British India.

Name, &c., of license-holder and agent, if any, authorized for the purpose of this consignment	Place of license holder's business	No of packages	Arms.		Ammunition		Place of despatch, route and mode of transit	Time for which pass is valid.	Destination.	Name and residence of consignee.
			Description	Number.	Description.	No. or weight in seers.				
								From the ______ ______ to the ______ ______ ______ 189 .		

Date on which consent was given by the ______
______ of the ______ of the
______ where ______ or
is the place of consignment. place of despatch.

The ______ 189 . The ______ 189 . (Seal.)

This license is subject to all the provisions of the "Indian Arms Act, 1878," and of the rules framed thereunder.

This license is void after the expiration of the period named, or if bulk is broken before reaching the place of destination, or if the articles are taken by any route other than is specified on the license.

The contents of each package covered by this license must be described in legible letters on the outside of such package.

The articles covered by this license will be delivered only to persons lawfully entitled to possess the same.

This license must be delivered to the Magistrate of the district to which the articles are consigned, and the articles must be available for exhibition to such Magistrate within six days of the consignment reaching his district.

The officer granting this license must send a copy thereof on the day of issue to the Magistrate of the district, as above described.

When the license is granted for transport within the the limits of the same district, the license must be given up to the local Magistrate (if any) having jurisdiction in the place to which the articles are consigned, who will satisfy himself that the conditions have been complied with, and return the license to the District Magistrate. [illegible] license granted by [illegible] al Magistrate ha[illegible] gistrate, the license must be returned to the Magistrate of the district.

Home Department Notification No. 1527, dated 16th September 1884

Form III.

FEE, TEN RUPEES IN STAMPS.

License to import arms, ammunition or military stores into the port of ——————

Name, &c., and address of license-holder.	No of packages.	Arms		Ammunition and sulphur.		Purpose for which required	Value of the cheapest firearms, per piece	Place where articles are to be deposited or to which they are to be despatched.	Period for which the license is valid.
		Description.	Number	Description.	Weight in seers or number				
									From the —— of —— to the —— of —— —— 189 .

The—— of——

(Signature.)

Seal.

This license is given subject to the provisions of the "Indian Arms Act, 1878," and the rules framed thereunder.

This license becomes void after expiry of the period named thereon.

This license is valid for importation only; if the articles named herein are to be transported to any place outside the presidency town, they must be protected by another pass for transport or export by land.

The contents of each package covered by this license shall be described in legible letters on the outside of such package.

Home Department Notification No 1427, dated 28th August 1894.

The arms, ammunition or military stores covered by this license shall either be deposited in a warehouse appointed under section 15 of the Sea Customs Act, 1878, or in a warehouse licensed under section 16 of the same Act and sanctioned in this regard under section 7 of the Indian Arms Act, 1878, or shall be at once despatched to their destination under a separate license to transport.

Form IIIA.

FEE, FIVE RUPEES IN STAMPS.

License to import arms, ammunition or military stores by river or land.

Name and residence of license holder and agent, if any.	Number of packages.	Arms.		Ammunition or military stores		Place of despatch and route.	Purpose for which consignment is required	Destination.	Name and residence of consignee.	Period for which license is valid.
		Description.	Number	Description.	Weight or number.					
										From the ——— of ——— 189 , to the ——— of ——— 189 .

(Signature)



The——————189 . *Magistrate of the*——— *district*

or

Commissioner of Police———.

[Home Department Notification No. 865, dated 8th June 1882.]

This license is valid only for the period and the route named herein.

It becomes invalid if bulk is broken, or the consignment stopped, at any place on the journey.

It is given subject to the provisions of the "Indian Arms Act, 1878," and of the rules framed thereunder.

The contents of each package covered by this license shall be described in legible characters on the outside of such package.

This license must be delivered to the District Magistrate or the Commissioner of Police when the articles covered by it reach their destination. In the case of consignments crossing the frontier by road or river, the articles must, within six days of their reaching British territory, be available for exhibition to the frontier Magistrate, or other officer whom he may empower in this behalf. In case of consignments crossing the frontier by rail, this license must be shown to the railway authorities of the station of delivery.

Form IV.

FEE, TEN RUPEES IN STAMPS.

License to export arms, ammunition or military stores by sea from the port of____________.

Name, &c., and address of license-holder.	No. of packages	Arms		Ammunition and sulphur.		Port to which consignment is to be despatched	Period for which license is valid.
		Description.	Number.	Description	Weight in seers.		
							From the ______ of ______ to the ______ of ______ ______189 .

Date on which copy of the license was despatched by the licensing officer to the Indian port (if any) to which the consignment is to be despatched
The______of______189 .

(Signature)

Seal.

______of______

This license is not valid for export to any Indian port other than that named on the license.

Form V.*

FEE, FIVE RUPEES IN STAMPS.

License to export arms, ammunition or military stores under rule 7 of the rules made under section 17 of the Indian Arms Act, 1878.

Name, &c., of license-holder and agent, if any	Number of packages.	Arms.		Ammunition or military stores		Place of despatch and route.	Purpose for which consignment is required.	Destination.	Name and residence of consignee.	Period for which license is valid
		Description.	Number.	Description.	Weight or number.					
										From the——— of———189 , to the——— of———189 .

The———189 . *Secy. to Govt. of India, Foreign Department.*

* *Form as amended by Foreign Department Notification No. 1621J, dated 25th June, 1879.*

Home Department Notification No. 1893, dated 25th November 1881.

It is valid only for the period and the route named therein.

It becomes invalid if bulk is broken or the consignment stopped at any place on the journey.

It is given subject to the provisions of the "Indian Arms Act, 1878," and of the rules framed thereunder.

The contents of each package covered by this license shall be described in legible characters on the outside of such package.

The license must be delivered to the railway authorities or to the frontier District Magistrate, or other officer empowered by him to receive export licenses on this behalf as provided in rules 7 and 10. In the case of consignments crossing the frontier by road or river, the articles must be made available for exhibition to the frontier Magistrate or other principal officer within six days of their reaching the frontier district, and before they leave British territory.

Form VA.

FREE OF ALL FEE.

License to import and export, without transhipment, arms, ammunition or military stores in the port of______________.

Name of Master of vessel or Agent in whose favour license is granted.	Name of vessel.	Number of packages.	Arms.		Ammunition		Destination.	Name and residence of consignee	Remarks.
			Description.	Number.	Description.	Number or weight.			

(Signature.)

(Seal.)

*The*______________189 . *Magistrate of the*________*district*

or

*Commissioner of Police*______________.

(Home Department Notification No. 574, dated the 4th April 1884.)

This license is given subject to the provisions of "The Indian Arms Act, 1878," and the rules framed thereunder.

The contents of each package covered by this license must be described in legible letters on the outside of such package.

Form VB.

FREE OF ALL FEE.

License to tranship (with permission to land in bond) arms, ammunition or military stores in the port of ________.

Name of Master of vessel or Agent in whose favour license is granted.	Name of vessel (1) from which and (2) to which transhipped	Number of packages.	Arms.		Ammunition.		Whether to be landed in bond or not	Destination	Name and residence of consignee.	Remarks.
			Description.	Number.	Description.	Number or weight.				

(Signature.)

(Seal.)

The ________ 189 . *Magistrate of the* ______ *district*

or

Commissioner of Police ________.

(Home Department Notification No. 574, dated the 4th April 1884.)

This license is given subject to the provisions of "The Indian Arms Act, 1878," and the rules framed thereunder.

The contents of each package covered by this license must be described in legible letters on the outside of such package.

The license will be void if, on being landed, the articles covered by it are not placed in bond.

Form VI.*

*As amended by Home Department Notification No. 846, dated 19th June 1893.

FEE, TWENTY RUPEES IN STAMPS.

License to manufacture, convert or sell, or to keep for sale, arms, ammunition or military stores.

Serial number of license.	Name and residence of license holder.	Place of business, factory or shop.	Description of arms—		Description of ammunition or military stores—		Date on which license expires.
			To be manufactured or converted.	To be sold or kept for sale.	To be manufactured.	To be sold or kept for sale.	
							The 31st of December 189

______ DISTRICT }
______ 189 . } (Seal.) (Signature) ______ of ______

Form of renewing the license.

Date and year of renewal	Date on which the renewed license expires	Signature of Commissioner of Police or Magistrate

1. This license is given subject to the provsions of "The Indian Arms Act, 1878," and the rules framed thereunder. The attention of the holder is drawn to the sections of the Act quoted separately below.

2. He shall keep registers of all arms manufactured or converted, of all ammunition and military stores manufactured, of all stock in hand, and of all sales, in such forms as the Local Government may direct.

3. He shall exhibit his stock and his registers on demand by any Magistrate, or by any police officer not below the rank of Inspector.

4. If any arms or ammunition covered by this license are lost or stolen, he shall at once give notice at the nearest police station *

5. He shall affix on a conspicuous part of his shop, or usual place of business, a signboard on which shall be painted in large letters in English and in the vernacular of the district, his name and the words "Licensed to manufacture (or licensed to deal in) arms, ammunition and military stores," as the case may be. He shall also post up in his shop a copy of section 28 of the Act, either in the vernacular of the district or in English.

6. He shall at the time of purchase endorse upon the license of every purchaser holding a license under form VIII or IX-(1) the name and address of the person who takes delivery of the articles sold, (2) the nature and amount of the articles sold, and (3) the date of sale; and shall sign the endorsement.

7. This license only covers sales of arms, ammunition or military stores effected upon the premises shown on the face of the license.

8. The licensee shall not sell arms to a soldier of the native army unless he produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass.

9. This license expires on the 31st December of the year in which it is issued, but the licensee can have it renewed by filing an application for its renewal on stamped paper of the prescribed value.

Home Department Notification No. 960, dated 19th June 1895.

9a. The license-holder shall not sell arms or ammunition to any person without the permission in writing of the Magistrate of the district in which the person requiring such arms or ammunition is for the time being residing. But this prohibition does not apply to Government officials exempted from the operation of sections 13-15

* N.B.—This condition may be omitted at the discretion of the Local Government.

of the Arms Act by notification under section 27 of the Act or to persons whose names are included in a list compiled by the District Magistrate and who declare that they purchase for their own use.

10. This license does not authorize the licensee to possess Government arms or ammunition.

This condition applies only to Burma. Home Department Notification No. 532 dated 16th March 1891.

Explanation.—A "Government arm" is a firearm or other weapon which is the property of Government

"Government ammunition" is ammunition manufactured in any Government factory or which is prepared for and supplied to Government.

Sections of the Indian Arms Act, 1878. *referred to in Condition No.* 1.

5. No person shall manufacture, convert or sell or keep, offer or expose for sale any arms, ammunition or military stores, except under a license and in the manner and to the extent permitted thereby.

Nothing herein contained shall prevent any person from selling any arms or ammunition which he lawfully possesses for his own private use to any person who is not by any enactment for the time being in force prohibited from possessing the same; but every person so selling arms or ammunition to any person other than a person entitled to possess the same by reason of an exemption under section 27 of this Act, shall without unnecessary delay, give to the Magistrate of the district, or to the officer in charge of the nearest police station, notice of the sale and of the purchaser's name and address.

16. Any person possessing arms, ammunition or military stores, the possession whereof by him has in consequence of the cancellation or expiry of a license . . . . become unlawful, shall deposit the same without unnecessary delay with the officer in charge of the nearest police station.

If the owner of anything deposited under this section does not within three years from the date on which such thing is so deposited produce a license authorizing him to possess the same and apply for delivery of the same, such thing shall be forfeited to Her Majesty

19. Whoever commits any of the following offences (namely)—

(*a*) manufactures, converts or sells or keeps, offers or exposes for sale any arms, ammunition or military stores in contravention of the provisions of section 5;

(*b*) fails to give notice as required by the same section;

* * * * * * * * * *

(g) intentionally makes any false entry in a record or account which, by a rule . . . . . . he is required to keep;

(h) intentionally fails to exhibit anything which, by a rule . . . . . . he is required to exhibit; or

(i) fails to deposit arms, ammunition or military stores as required by . . . . . . section 16, shall be punished with imprisonment for a term which may extend to three years or with fine, or with both.

20. Whoever does any act mentioned in clause (a) . . . . . of section 19, in such manner as to indicate an intention that such act may not be known to any public servant as defined in the Indian Penal Code, or to any person employed upon a railway, or to the servant of any public carrier, and whoever, on any search being made under section 25, conceals or attempts to conceal any arms, ammunition or military stores, shall be punished with imprisonment for a term which may extend to seven years, or with fine, or with both.

21. Whoever, in violation of a condition subject to which a license has been granted, does, or omits to do any act, shall, when the doing or omitting to do such act is not punishable under section 19 or section 20, be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

22. Whoever knowingly purchases any arms, ammunition or military stores from any person not licensed or authorized under the proviso to section 5 to sell the same; or delivers any arms or ammunition or military stores into the possession of any person without previously ascertaining that such person is legally authorized to possess the same, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees or with both.

23. Any person violating any rule made under this Act, and for the violation of which no penalty is provided by this Act, shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees or with both.

24. When any person is convicted of an offence punishable under this Act, committed by him in respect of any arms, ammunition or military stores, it shall be in the discretion of the convicting Court or Magistrate further to direct that the whole or any portion of such arms, ammunition or military stores, and any vessel, cart or baggage-animal used to convey the same, and any box, package or bale in which the same may have been concealed, together with the other contents of such box, package or bale, shall be confiscated.

Form VII*.

* Home Department Notification No. 846, dated 19th June 1893.

FEE, TEN RUPEES IN STAMPS.

License to keep and sell arms, ammunition or military stores.

Serial number of license.	Name and residence of license-holder	Place of business.	Description of—		Date on which license expires.
			Arms	Ammunition or military stores.	
					The 31st of December 189 .

———— DISTRICT :
———— 189 .

(Seal)

(Signature.)

————*of*————

Form of renewing the license.

Date and year of renewal	Date on which the renewed license expires	Signature of Commissioner of Police or Magistrate.

1. This license is given subject to the provisions of "The Indian Arms Act, 1878" and the rules framed thereunder. The attention of the holder is drawn to the sections of the Act quoted separately below.

20. Whoever does any act mentioned in clause (*a*). . ....of section 19, in such manner as to indicate an intention that such act may not be known to any public servant as defined in the Indian Penal Code, *or to any person employed upon a railway or to the* servant of any public carrier; and whoever, on any search being made under section 25, conceals, or attempts to conceal, any arms, ammunition or military stores, shall be punished with imprisonment for a term which may extend to seven years, or with fine, or with both.

21. Whoever, in violation of a condition subject to which a license has been granted, does or omits to do, any act shall, when the doing or omitting to do such act is not punishable under section 19 or section 20, be punished with imprisonment for a term which may extend to six months, or *with fine which may extend to five* hundred rupees, or with both

22. Whoever knowingly purchases any arms, ammunition or military stores from any person not licensed or authorized under the proviso to section 5 to sell the same, or delivers any arms, ammunition or military stores into the possession of any person without previously ascertaining that such person is legally authorized to possess the same, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

23. Any person violating any rule made under this Act, and for the violation of which no penalty is provided by this Act, shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

24. When any person is convicted of an offence punishable under this Act committed by him in respect of any arms, ammunition or military stores, it shall be in the discretion of the convicting Court or Magistrate further to direct that the whole or any portion of such arms, ammunition or military stores, and any vessel, cart or baggage-animal used to convey the same, and any box, package or bale in which the same may have been concealed, together with the other contents of such box, package or bale, shall be confiscated.

Form VIII.*

FEE, EIGHT ANNAS FOR EACH WEAPON IN DISARMED DISTRICTS, FOUR ANNAS FOR EACH WEAPON IN OTHER DISTRICTS, PAYABLE IN STAMPS.

License to possess arms or ammunition, and to go armed for purposes of sport, protection or display.

Serial number of license.	Name of license holder with particulars of residence	Number of retainers, if any, covered by the license (rule 21).	Description of arms or ammunition	Purpose for which granted	District or place within which license is valid	Date on which license expires
						The 31st of December 189

(Signature.)

The ______ of ________ 189 } (Seal) ________ of the

Form of renewing the license

Date and year of renewal.	Date on which the renewed license expires.	Signature of Commissioner of Police or Magistrate

* As amended by Home Department Notification No. 816, dated 19th June 1893.

20. Whoever does any act mentioned in clause (a). ....of section 19, in such manner as to indicate an intention that such act may not be known to any public servant as defined in the Indian Penal Code, or to any person employed upon a railway or to the servant of any public carrier; and whoever, on any search being made under section 25, conceals, or attempts to conceal, any arms, ammunition or military stores, shall be punished with imprisonment for a term which may extend to seven years, or with fine, or with both.

21. Whoever, in violation of a condition subject to which a license has been granted, does or omits to do, any act shall, when the doing or omitting to do such act is not punishable under section 19 or section 20, be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both

22. Whoever knowingly purchases any arms, ammunition or military stores from any person not licensed or authorized under the proviso to section 5 to sell the same, or delivers any arms, ammunition or military stores into the possession of any person without previously ascertaining that such person is legally authorized to possess the same, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

23. Any person violating any rule made under this Act, and for the violation of which no penalty is provided by this Act, shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

24. When any person is convicted of an offence punishable under this Act committed by him in respect of any arms, ammunition or military stores, it shall be in the discretion of the convicting Court or Magistrate further to direct that the whole or any portion of such arms, ammunition or military stores, and any vessel, cart or baggage-animal used to convey the same, and any box, package or bale in which the same may have been concealed, together with the other contents of such box, package or bale, shall be confiscated.

Form VIII.*

* As amended by Home Department Notification No. 816, dated 19th June 1893.

FEE, EIGHT ANNAS FOR EACH WEAPON IN DISARMED DISTRICTS, FOUR ANNAS FOR EACH WEAPON IN OTHER DISTRICTS, PAYABLE IN STAMPS.

License to possess arms or ammunition, and to go armed for purposes of sport, protection or display.

Serial number of license	Name of license holder with particulars of residence.	Number of retainers, if any, covered by the license (rule 24).	Description of arms or ammunition.	Purpose for which granted	District or place within which license is valid	Date on which license expires
						The 31st of December 189

(Signature.)

The______ of ________ 189 . } (Seal) __________of the

Form of renewing the license

Date and year of renewal	Date on which the renewed license expires	Signature of Commissioner of Police or Magistrate

1. This license is granted subject to the provisions of "The Indian Arms Act, 1878," and the rules framed thereunder.

2. It covers only the persons and the arms named therein, unless it is certified to cover retainers of the holder.

3. It is void after the date named therein.

Home Department Notification No. 459, dated 22nd March 1895.

4. It extends only to the place or district named therein, unless countersigned for other districts or the whole province by the Commissioner or other superior officer.

5. It authorizes the holder or persons acting under it to go armed within the place or district named for *boná fide* prosecution of the purpose named on the license, but, unless specially authorized by the Magistrate or Commissioner of Police, it does not permit the holder or persons aforesaid to go armed in railway carriages or to fairs, religious processions or other public assemblages.

6. The license-holder when purchasing any new arms or ammunition shall have the following particulars endorsed upon his license under the vendor's signature:—

(1) the name and address of the person who takes delivery of the articles purchased;

(2) the nature and amount of the articles purchased;

(3) the date of purchase.

7. If any weapon covered by this license is lost or stolen, the license-holder shall at once give notice of the fact to the nearest police station.*

*This condition may be omitted at the discretion of the Local Government.

8. The special attention of the license-holder is drawn to the following sections of the Act:—

Section 13.—No person shall go armed with any arms except under a license and to the extent and in the manner permitted thereby.

Any person so going armed without a license or in contravention of its provisions may be disarmed by any Magistrate, police officer or other person empowered by the Local Government in this behalf by name or by virtue of his office.

Section 19.—Whoever commits any of the following offences, namely:—

* * * * * *

(e) goes armed in contravention of the provisions of section 13;

(*f*) has in his possession or under his control any arms, ammunition or military stores in contravention of the provisions of section 14 or section 15;

Home Department Notification No. 450, dated 22nd March 1895.

* * * * * *

(*i*) fails to deposit arms, ammunition, or military stores, as required by section 14 or section 16.

shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

9. This license expires on the 31st December of the year in which it is issued. The license-holder can have it renewed by filing an application for its renewal on stamped paper of the prescribed value.

[Home Department Notification No. 816, dated 19th June 1895.]

†10. This license does not authorize the licensee to possess Government arms and ammunition.

†Added by Home Department No. 632, dated 16th March 1894.

Explanation.—A "Government arm" is a firearm or other weapon which is the property of Government.

"Government ammunition" is ammunition manufactured in any Government factory or which is prepared for and supplied to Government.

Form IX.

FEE, FOUR ANNAS FOR EACH WEAPON, PAYABLE IN STAMPS, FOR LICENSES GRANTED IN BRITISH INDIA; FREE OF ALL FEE FOR LICENSES GRANTED BY POLITICAL AGENTS TO SUBJECTS OF NATIVE STATES.

License to go armed—On a journey.

Name, &c., of license-holder, with particulars of his residence.	Number of retainers, if any, who may be covered by the license (rule 21).	Description of arms and ammunition covered by this license	Place of departure, route and destination of journey.	Time which journey will probably take	Date from which, and to which, the license is valid.
					From the ______ of ______ 189 . to the ______ of ______ 189 .

______ of ______ 189 . } (Seal.) (Signature) of district.

This license covers only the persons and the arms named therein, unless it is certified to cover retainers of the holder.

It is void after the expiration of the period named therein.

It is granted subject to the provisions of the "Indian Arms Act, 1878," and the rules framed thereunder.

It does not permit holders to go armed in railway carriages, to fairs, religious processions or other public assemblages.

Home Department Notification No 2100, dated 23rd December 1881.

The license-holder shall at the time of purchase have the following particulars endorsed upon his license by the vendor from whom he purchases, and under the vendor's signature—

(1) the name and address of the person who takes delivery of the articles purchased ;

(2) the nature and amount of the articles purchased ;

(3) the date of purchase.

Home Department No 532, dated 10th March 1894.

This license does not authorize the licensee to possess Government arms or ammunition.

Explanation.—A "Government arm" is a firearm or other weapon which is the property of the Government.

"Government ammunition" is ammunition manufactured in any Government factory, or which is prepared for, and supplied to, Government.

Form X.

FREE OF ALL FEE.

License to possess firearms, ammunition or military stores in a district which has not been disarmed.

Name, &c., of license-holder, with particulars of residence.	No. and description of weapons.	Description and quantity of ammunition or military stores.	Place with full details where articles are to be kept.	Term for which license is valid.
				From the——— of ———189 to the 31st December 189 .

(Signature.)

The——of——189 . (Seal.) Magistrate of the——district.

This license protects only the weapons and articles named, so long as they are kept in the place described in the license.

It does not authorize the holder to go armed or to carry arms.

It is granted subject to the provisions of the "Indian Arms Act, 1878," and the rules framed thereunder.

This license does not authorize the licensee to possess Government arms or ammunition.

Home Department No. 53[illegible] dated 16th March 1894.

Explanation.—A "Government arm" is a firearm or other weapon which is the property of the Government.

"Government ammunition" is ammunition manufactured in any Government factory, or which is prepared for, and supplied to, Government.

Form XI.

FREE OF ALL FEE.

License to possess arms and ammunition for the purpose of destroying wild animals.

Name, &c., of license-holder, with particulars of residence.	Description of weapon.	Place or tract within which license is valid.	Term for which license is valid	Title and residence of Magistrate to whom the license and weapon must be shown between the 15th November and the 31st December
			From the———of ———189 , to the 31st December 189	

———————
The——of———189 } (Seal) (Signature) Magistrate of the———district.

Notes of Magistrate to whom the license and weapon are periodically shown.

This license is granted subject to the provisions of the "Indian Arms Act, 1878," and the rules framed thereunder.

The holder is bound to show his license and weapon once a year to the Magistrate of———.

This license is void if [illegible] is seized in execution of decree; i[illegible] distance beyond the limits of th[illegible] f he fails to show it once a year to the Magistrate aforesaid.

It is void on the death of the holder.

The holder must not go armed in railway carriages, to fairs, religious processions or other public assemblages.

The holder is bound to observe a close season as prescribed by the Local Government in respect to the undermentioned game-birds and animals which do no injury to men, cattle or crops:

Home Department Notification No. 2443, dated the 19th December 1889.

If a gun, covered by this license, is lost or stolen, the license-holder shall at once give notice of the fact at the nearest police station.

NOTE.—This clause applies only to Assam

Home Department No. 532, dated 16th March 1894.

This license does not authorise the licensee to possess Government arms or ammunition.

Explanation.—A "Government arm" is a firearm or other weapon which is the property of the Government.

"Government ammunition" is ammunition manufactured in any Government factory, or which is prepared for, and supplied to, Government.

Specification of animals or birds.	*Close season*
———	———
———	———

Home Department No. 1555, dated 30th September 1881.

Form XII.

License to possess and transport gunpowder and fuses for bonâ fide *blasting purposes.*

(NO FEE PAYABLE.)

Name of license-holder, with particulars of residence.	Columns to be filled in cases of transport.			Quantity of gunpowder and fuses.	District or place within which license is valid.	Term for which license is valid
	Place of despatch, route and mode of transit.	Time for which pass is valid.	Destination.			
		From the to the 189 .				

The license is subject to the provisions of the Arms Act and of the rules framed thereunder.

It covers only the persons and the quantity of gunpowder and fuses named therein.

It extends only to the district or place named therein, and is void after the expiration of the term mentioned.

In cases of transport—

The license becomes void if the time occupied in transit exceeds the period specified, or if the consignment breaks bulk before reaching the place of destination, or if the articles are taken by any other route than that specified in the license.

The contents of each package covered by the license must be described in legible letters on the outside of such package.

This license must be delivered to the Magistrate of the district or other officer authorized to receive the same, and the articles must be available for exhibition to such Magistrate or officer within six days of their arrival at their destination.

Home Department Notification No 2230, dated 29th November 1880.

Arms Act. Local rules under the— G. O. No. 2201, dated 27th February 1879.

The following are the rules and orders passed by the Lieutenant-Governor and Chief Commissioner under the Arms Act, (XI of 1878) —

I.—The authority to detain arms and ammunition contemplated in clause 2 of section 6 may be exercised by any Magistrate, Justice of the Peace, District or Assistant District Superintendent of Police, and any police officer being not lower in rank than an officer in charge of a reporting police station

I (a).—The Conservator, of Forests, School Circle, North-Western Provinces, and all Deputy Conservators, Assistant Conservators, and Sub-Assistant Conservators (including probationers) have power to disarm any person going armed without a license or in contravention of its provisions. Patwáris in Jaunsar-Bawar have similar powers.*

II.—Magistrates in granting licenses under rule 11 of the rules framed by the Government of India to manufacture, convert or sell or keep arms, ammunition and military stores, or to keep and sell the same, shall deliver to each licensee two books in the forms A and C or B and D (as the case may be) hereto appended; the one to be kept up as showing his stock-in-trade, and the other for the purpose of showing the sales of each day. The pages of these

*G. O. No $\frac{1077}{VI-620B}$, dated 29th April 1891.

books should be numbered from beginning to end, and the first and last page of each should be signed by the Magistrate, or some European subordinate, and sealed with his official seal.

The licensee will be required to pay the cost of these books. The Magistrate, in delivering these books to the licensee, will explain to him the necessity for keeping them up regularly, and the penalties attaching to failure to do so.

G. O. No. $\frac{2090}{VI-175C}$, dated 27th July 1893.

In order to ensure that all arms and ammunition received by dealers are brought to account in the store books and subsequently in the day books of licensed vendors, arrangements should be made for the timely examination of consignments on arrival by an Inspector of Police, who should see that the necessary entry is made in the books of the firm. By the terms of the license the articles must be available for exhibition within six days of the arrival of the consignment.

Except in the case of arms of European manufacture which are already numbered and marked, every licensed vendor of arms shall, previous to sale, stamp every weapon in a permanent manner with a number and mark and shall, on sale, enter the number and mark of the weapon sold, whether of European or native manufacture, in column 5 of his day-book (form C or D) forwarding forthwith a copy of the entry to the Magistrate of the district in which the purchaser resides In addition to the number and mark a full description of the weapon sold shall also be entered in column 5.

G. O. No. $\frac{3047}{VI-175C}$, dated 14th November 1893.

The shop, premises and stock of every licensed vendor shall be inspected once in every half-year by a police officer not below the rank of Inspector. A similar inspection shall be made annually by the Magistrate of the district or one of his subordinates in the month of March, and by the District Superintendent of Police or Assistant District Superintendent of Police in the month of October, of all shops situated at the headquarters of districts. In the case of outlying shops, an annual inspection shall be made by a Magistrate before the 1st April in each year, and by the District Superintendent of Police or Assistant District Superintendent of Police before the 24th December (i.e., between October and the end of the year). A memorandum should be submitted on the 1st April and 24th December in each year to the Commissioner of the Division by the Magistrate of the district certifying that the inspections have been duly carried out.

Every officer making such inspection shall initial the stock and sale books of the licensee and at once report to the Magistrate of the district any irregularity or breach of rules which may have come to his notice.

[*Note*—It is not intended to tie ignorant people down absolutely to these forms. If the accounts of stock are kept accurately in an intelligible manner, Magistrates may dispense with a servile adherence to the form in cases where they may deem it advisable to do so; but in the absence of valid reasons, and especially in the case of those who are not mere makers of fireworks, but really dealers in arms and ammunition, the form prescribed should be adhered to, and neglect to comply with the orders on the subject severely noticed.

Should any person who makes and sells fireworks combine with his trade the [illegible] rated in section 5 [illegible] under the Arms Act [illegible] in A or B under [illegible]

The orders conveyed in the next preceding rule II do not apply to firework-vendors licensed under form VIII by this circular.

The police should watch that the conditions of the license are not transgressed, and to secure this end the police may inspect the premises of the licensees, and, if necessary, examine their books of account; but no special form of account is needed.

III.—A Magistrate or police officer, receiving notice of sale of arms or ammunition under the second clause of section 5, should at once ascertain the correctness or otherwise of the purchaser's name and address as given by the seller. The result of such inquiry will be reported by the police officer to the Magistrate through the Superintendent of Police. If the purchaser live beyond the jurisdiction of the police officer, he shall send a report to the Superintendent of Police, who will order the inquiry to be completed and reported by the police officer having jurisdiction at the place where the purchaser lives. The responsibility for taking out a license rests with the purchaser

IV.—For the purpose of conducting searches under section 25 the Lieutenant-Governor and Chief Commissioner is pleased to empower the following persons in virtue of their office:—

Justices of the Peace, District Superintendents of Police, Assistant District Superintendents of Police, Inspectors of Police

V.—For the purpose of conducting searches under section 30, the following persons are appointed by virtue of office:—

Magistrates, Justices of the Peace, District Superintendents of Police, Assistant District Superintendents of Police, Inspectors of Police, police officers in charge of reporting stations.

VI.—When any arms, ammunition or military stores have been [illegible] section 14 or 16 of the Act, the [illegible] shall affix to each weapon or [illegible] of the depositor, the date of deposit, and a description of the weapon or article deposited. He shall also hand to the depositor a duplicate of this ticket signed by

himself, as a receipt, and inform him that the Government will be responsible for the safe custody only of the articles, and not for their preservation from rust and decay.

After the expiry of fourteen days, if the owner has not obtained a license authorizing him to possess them, the arms, ammunition and military stores shall be forwarded to the headquarters of the district, and shall there be kept in the malkhana of the Magistrate or the District Superintendent of Police, at the discretion of the Magistrate. If deposited in the Magistrate's malkhana, the nazir shall be responsible for their custody, and if deposited in the District Superintendent's malkhana, the Court Inspector shall be so responsible.

The Court Inspector (or the nazir, as the case may be) shall keep a register in which the arms and other articles deposited shall be described and entered under serial numbers, and fresh tickets shall be affixed to them, showing the owner's name, and corresponding with the entries in the register.

If on the expiry of the periods mentioned in sections 14 and 16 of the Act the arms and other articles become forfeited to Her Imperial Majesty, the Magistrate shall dispose of them as follows :—

Arms, ammunition and stores that can be utilized by the police or by any department under Government may be preserved and used.

Arms, ammunition and stores not suitable for use under Government may be sold by the Magistrate to persons who are entitled to possess them. Magistrates should give notice to the public of the articles for sale, and should take care that none but persons authorized under the Act become possessed of them.

No sales should be made by auction.

Any arms not so disposed of shall be broken up, and the materials sold and credited to Government. All ammunition and military stores not utilized or disposed of as above directed shall be at once destroyed.

In the case of gunpowder and other explosive materials, Magistrates must make suitable arrangements for their safe custody, so as to guard against danger to life and property. As a rule, the police magazine should be the place of deposit for such materials.

These orders will apply also to arms, ammunition and military stores confiscated under section 24 of the Act.

Confiscation of arms. Circular No $\frac{451}{VI-989}$ of 14th March 1887.

[The discretionary power of confiscating arms conferred on Magistrates by section 24, Act XI of 1878 (the Indian Arms Act), should be very considerately used. A mere breach of license is not ordinarily an adequate reason for confiscation; and Junior Magistrates should usually refer the question of the necessity for confiscation to the Magistrate of the district for decision].

VII (a).—When any arms, or other articles, are confiscated under section 24, the convicting Magistrate shall, immediately on conviction, pay a reward of not less than half the estimated value of the confiscated articles to the person or persons who may have given information which led to the detection of the offence, or who may have assisted in the arrest of the offender and seizure of the arms or other articles. Such payments will be charged against Law and Justice, and be drawn by Magistrates in their contingent bills.

(b).—Any Magistrate convicting an offender of any offence under the Act may, at his discretion, grant a reward, not exceeding the amount of fine imposed, in such proportions as he may think fit, to any person or persons who have contributed to the arrest of the offenders or the seizure of the arms or other articles.

(c).—If no fine is inflicted, or if a larger reward than the fine imposed seems needed, *and in all cases in which persons are apprehended, or arms or other contraband articles seized*—

The Magistrate of the district is hereby authorized to pay rewards, at his discretion, to the persons who have contributed to the arrest of the offenders, or the seizure of the arms or other contraband articles, up to the limit of Rs. 100 in each case, and up to Rs. 500, with the sanction of the Commissioner of the Division Rewards exceeding Rs. 500 shall not be paid without the sanction of Government.

(d).—If such cases occur before a Subordinate Magistrate, he should at once forward the papers connected with the case, together with his recommendation as to the amount of the reward and the persons to whom it should be paid, to the Magistrate of the district, who will at once pass such orders thereon as shall seem required.

(e)—Provision for rewards under this rule should be made by Magistrates in their district budgets; but rewards to *informers* who bring to light breaches of the Arms Act should not be provided for under a separate budget head, but charged to the provision made under "Police" for rewards to those who arrest or give information leading to the arrest of offenders against the criminal law generally: the usual reward rolls in these cases will be forwarded to the office of Inspector-General of Police for countersignature and publication in *Police Gazette*, to enable a check to be kept on disbursements from budget head rewards (section IV, paragraph 10, Regulations and Orders for the Police).

Circular No. 33, dated 5th May 1879.

VIII.—Every Magistrate shall keep a register of the licenses granted by him under rule 11 of the rules framed by the Govern-

ment of India to manufacture, convert or sell or keep arms, ammunition and military stores. Such register shall be in the form E annexed. A copy of this register shall be furnished by the Magistrate to the District Superintendent of Police.

The District Superintendent of Police will furnish to each officer in charge of a police station an extract, columns 1 to 6, giving the names of the persons living within his jurisdiction who hold licenses: and each Circle Inspector shall receive from the District Superintendent of Police an extract giving the names of all persons living in his circle who hold licenses.

Every Inspector, when making the inspection directed in rule II, shall enter in his copy of the register, in one of the subordinate columns of column 8, the date on which he made the inspection If the inspection disclose no irregularity or breach of the rules, no report will be made But if, at the inspection, any fact is brought to light which it is advisable that the Magistrate shall know, the Inspector shall send a special report to the Magistrate, through the District Superintendent of Police, noting in the column of remarks in his register the date on which the report was sent.

Every Subordinate Magistrate, District Superintendent of Police, and Assistant District Superintendent, making an inspection as directed in rule II, shall send to the Magistrate of the district a report of the result of his inspection, for incorporation in the register, column 8(5).

At the close of the calendar year the Circle Inspectors will send their registers to the District Superintendent of Police for transmission to the Magistrate, who will enter in his register the facts recorded by the Inspectors opposite to the name of each licensee.

IX.—A register in the form F shall be kept by the Magistrate of all licenses to keep and sell arms, ammunition and military stores, and the same rules shall, *mutatis mutandis*, be observed with regard to this register as are laid down in rule VIII for the register in form E.

X.—Separate registers in the forms G, H, J, shall be kept by Magistrates of the licenses granted under rules 13, 15 and 16, respectively, of the rules framed by the Government of India.

The Magistrate will supply a copy of each of these to the District Superintendent of Police. The District Superintendent will furnish to each officer in charge of a police station an extract giving the parts that concern his jurisdiction.

XI.—Licenses to possess arms in districts which have not been disarmed, granted under rule 15 of the rules framed by the Government of India, shall be valid for a period of three years.

XII.—Weapons for which licenses have been granted under rule 16 shall ordinarily be inspected by a Magistrate while on tour, or by the tahsíldár, if invested with magisterial powers. The fact of the inspection shall be endorsed on the license, and a report sent to the headquarters, to be entered in column 9 of the register opposite the name of each licensee, year by year.

A similar inspection shall also be made of weapons for which licenses have been granted under rule 13 (in form VIII) In both cases the inspecting officer shall compare the weapon produced with the description of it entered in the license.

G O No. $\frac{3017}{VI-175C}$, date 14th November 1893.

XIII.—In licenses granted in forms VIII, IX, X or XI, the description of the weapon shall be entered in full detail in the column provided for the purpose. It is not sufficient to enter the words "one gun" without any further particulars descriptive of the article. In the case of licenses granted for the first time, a period of one month should be allowed within which to produce the weapon for inspection and entry of the necessary particulars, failing which the license should be cancelled

G. O. No. $\frac{2099}{VI-175C}$, date 27th July 1893.

Form A

Store book of , son of , caste , resident of mauza , pargana , district , licensed to manufacture, convert or sell or keep arms, ammunition and military stores.

		Description.								
1	2	3			4				5	6
		Firearms.			Other weapons					
Date.		Guns.	Pistols	Others	Swords	Bayonets	Daggers.	Others.	Ammunition.	Military stores
January 1st	In store ..									
	Added to store,									
	Disposed of...									
January 2nd	In store ...									

NOTE.—Details not provided for in columns 3, 4, 5, 6, should be entered in MS.

Form B.

Store book of , son of , caste , resident of mauza , pargana , district , licensed to keep and sell arms, ammunition and military stores.

1	2	Description.							5	6
		3			4					
		Firearms.			Other weapons.					
Date		Guns.	Pistols.	Others.	Swords.	Bayonets.	Daggers.	Others.	Ammunition.	Military stores
January 1st	In store ...									
	Added to store,									
	Disposed of ..									
January 2nd	In store ..									

NOTE.—Details not provided for in columns 3, 4, 5, 6, should be entered in MS.

Form C.

Day book of , son of , caste , resident of mauza , pargana , district , licensed to manufacture, convert or sell or keep arms, ammunition or military stores.

1	2	3	4	5	6	7*
Date.	Name of purchaser, with father's name,	Caste.	Residence.	Articles purchased.	Price paid.	Form and date of license held by purchaser, or if exempted from the operations of the Arms Act, the grounds of exemption.

* This column was added by G. O. No. $\frac{3117}{VI-100II}$, dated 22nd September 1891.

Form D.

Day book of , son of , caste , resident of mauza , pargana , district , licensed to keep and sell arms, ammunition and military stores.

1	2	3	4	5	6	7*
Date.	Name of purchaser, with father's name	Caste.	Residence.	Articles purchased	Price paid.	Form and date of license held by purchaser, or if exempted from the operations of the Arms Act, the grounds of exemption

* This column was added by G. O. No. $\frac{3147}{\text{VI—190B}}$, dated 23rd September 1890

Form E.

Register of licenses to manufacture, convert or sell or keep arms, ammunition and military stores in district .

1	2	3	4	5	6	7					8
						Result of inspections					
						By Inspectors of Police.				By Magistrates or Superintendents of Police	
Tahsil.	No.	Name of licensee	Father's name, caste, &c.	Place of business.	Date.	Quarter—					Remarks
						1st	2nd	3rd	4th		

Form F.

Register of licenses to keep and sell arms, ammunition and military stores in district .

1	2	3	4	5	6	7					8
						Result of inspections.					
						By Inspectors of Police.				By Magistrates or Superintendents of Police.	
						Quarter—					
Tahsil.	No.	Name of licensee.	Father's name, caste, &c	Place of business.	Date of license	1st	2nd	3rd	4th		Remarks.

Form G.

Register of licenses to possess arms or ammunition and to go armed for purposes of sport, protection or display in district .

1	2	3	4	5	6	7	8
Tahsil.	No	Date of license.	Name of licensee	Father's name, caste, &c.	Residence	No. and description of weapons.	Remarks.

Form H.

Register of licenses to possess arms, ammunition or military stores in a district which has not been disarmed in district .

1	2	3	4	5	6	7	8	9
Tahsil.	No.	Date of license.	Name of license-holder.	Father's name, caste, &c	Residence.	Description of weapons.	Where to be kept.	Date of expiry of License.

Form J.

Register of licenses to possess arms and ammunition for the purpose of destroying wild animals in district

Tahsil	No.	Date.	Name of license-holder	Father's name, caste, &c	Residence	Place for which license is valid	Weapon	Date of expiry of license.	Note of Magistrate inspecting weapon and license					Remarks
									Years.					
									1st	2nd	3rd	4th	5th	

Records of arms licenses

G. O No. $\frac{1718}{VI-351}$, dated 15th December 1884.

The following rules are laid down for the treatment of records relating to arms licenses —

I.—Applications for licenses shall, if the license be granted, be kept for one year from the date of the expiry of the license whether the license be annual or quinquennial. Thus an application presented in December 1884, for a license to carry arms in 1885, may be destroyed after December 1886. If the application is refused, it shall be retained for three years from the date of refusal.

II.—Papers regarding the deposit of arms in police stations under the provisions of section 16 of the Act shall be kept for five years from the date of the order of deposit.

III.—Papers regarding the cancelling or suspension of licenses (section 18 of the Act), shall be kept for three years, unless there is any special reason for their retention for a longer period.

It should be understood that these rules do not affect any papers forming part of the record in criminal and police cases, and dealt with as such under the rules of the High Court or Judicial Commissioner, or of the Police Department.

Annual Report—

Circular No. 123, dated 5th September 1879, No. 225A, dated 3rd October 1880; and G. O. No 907, dated 17th July 1891, and G. O. No. $\frac{3062}{VI-971B}$, dated 16th December 1892.

Magistrates and Deputy Commissioners should prepare, at the close of each calendar year, and submit to the Commissioner, a report on the working of the Act during the year. This report should notice briefly the results of the various inspections prescribed by Notification No. 229½,* dated 29th February 1879, convictions and punishments—particularly where special circumstances were held to justify very light or very severe sentences—rewards granted, any great increase or decrease in the number of licenses granted; and generally any facts of importance connected with the working of this Act. The annexed forms should be filled in and submitted with the report, and a subsidiary statement should be added giving

* See page 53 *ante*.

the names of the gentlemen entered in the list (A) of persons exempted under clause (10), paragraph I of Home Department Notification No. 518, dated 6th March 1879, who have died during the year reported on; and the changes that have taken place in the district list of those exempted under other clauses of that notification, excepting those exempted in virtue of their nationality, or the paid office they hold under Government.

It is the Commissioner's duty to review the district reports of his division, and to pass suitable orders on such matters falling within his province as require them. He should then prepare a divisional report, with the necessary statements, and submit it (and not the district reports) to Government by the 1st of March. If any of the required information is wanting, the Commissioner should call for it before submitting his report. Recommendations for exemption should be made the subject of a *separate* annual reference; a list of these recommendations should be submitted to the Commissioner at the same time as the annual report, but should not be included in it. Commissioners can then prepare divisional lists and submit them for the orders of Government.

Form K.

Return of licenses granted under Act XI, 1878, in the district of for the year .

1	2	3	4	5			6	7				8	9
Serial number.	Detail of licenses.	Number of licenses in force on the 31st December of the previous year.	Number of licenses in force at the beginning of the year.	Operations of the year.			Number of licenses in force at the end of the year.	Number of weapons covered by licenses shown in column 6				Number of licenses in column 5(c) which were revoked for breach of conditions of license or misconduct of the license-holder.	Remarks.
				(a) New licenses.	(b) Renewed licenses.	(c) Licenses in force at any time during the year which became void before its close.		Firearms.	Swords.	Other weapons.	Total number of weapons.		
1	In form I—to import, transport or possess cannon, &c.												
2	In form II—to transport arms, ammunition or military stores												
3	In form V—to export by land or [illegible]												
4	In form VI—to manufacture, convert or sell or keep.												
5	In form VII—to keep and sell ...												
6	In form VIII—to possess arms and ammunition, and to go armed for purposes of sport, protection or display												
7	In form IX—to go armed on a journey ...												
8	In form X—to possess arms, ammunition or military stores in a district which has not been disarmed												
9	In form XI—to possess arms or ammunition for the purpose of destroying wild animals.												

Column 3.—In this will be entered all licenses in force on the 31st December of the year previous to that for which the return is submitted, whether the period of the grant expired on that date or not. The number will correspond with that in column 6 of the previous year's return.

Column 4.—The number of licenses entered in this column is the number of licenses in force on 31st December of the previous year (entered in column 3) which did not expire on that date.

Column 5.—(a) Enter, with the following exceptions, licenses granted to persons who did not hold similar ones during the previous year. *All* licenses granted during the year in forms II, V and IX will be entered in this column, whether or no similar licenses were granted to the holders during the previous year.

(b) Enter licenses granted to persons who held similar ones in the previous year in consequence of those licenses having expired at the end of it.

Column 6.—Will be the total of columns 4 and 5 (a) and (b) *minus* the number in column 5 (c).

Column 7.—Note that those arms only held under a license *in force* at the end of the year are be to entered. Thus arms held under a license in form IX (to go armed on a journey) *which expired during the year* or under any other license entered in column 5 (c) would not be included in this column.

Columns 3—7.—Suspensions of licenses should be ignored in filling up columns 3—7 and noticed in columns 9, "Remarks." Licenses which are merely suspended are not to be held as "void."

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Form L.

Annual statement of the operation of the Arms Act, XI of 1878, in the district of the year

Number of persons punished under—														Total punished (columns 1 to 14).	Number and description of weapons confiscated.								Value of fines imposed and realized.	Amount paid as rewards to informers, &c.		Remarks.
Section 19, for offences under—									Section 20 for secret breaches.	Section 21, for breach of license.	Section 22, for knowingly purchasing from an unlicensed person or delivering to person not authorized to possess.	Section 23, for breach of rule.	Section 28, for failure to give information as required in section 28.		Rifles.	Smooth-bore guns.	Pistols.	Swords.	Bayonets.	Daggers or knives.	Spears.	Others.		(a) From fines.	(b) From police - reward budget.	
Clause a.	Clause b.	Clause c.	Clause d.	Clause e.	Clause f.	Clause g.	Clause h.	Clause i.																		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27

Arms Act. Information as to offences under—must be given in certain cases
Circular No 23 dated 27th February 1879.

All Magistrates are requested to cause the provisions of section 28 of the Arms Act, XI of 1878, to be widely notified in their district, in order that the public may be made aware of the responsibility that the law now imposes on them with regard to giving information of offences under the Act. The rules framed by this Government provide for the payment of rewards to all persons who may give information of the commission of offences, or who may assist in the arrest of offenders or the seizure of contraband articles. These provisions should be notified at every tahsíl and police station in each district, that all persons may know the risks that they run by omitting to give information of offences, and the rewards which may be earned by co-operating with the authorities.

All public carriers in each district should be informed of the responsibilities which are now specially imposed upon them by the second clause of section 28, with regard to packages or bales in transit which are suspected to contain arms, ammunition or military stores, in respect of which an offence against the Act has been or is being committed.

Arms Act Schedule Explanation of—
Circular No. 120, dated 19th September 1879

(1) Powder flasks
(2) Shot pouches
(3) Capping-machines for muzzle loaders
(4) Bullet moulds.

Doubts having arisen in regard to the liability of the articles named on the margin to duty under the Arms Act, 1878, it has been decided that as a powder flask is a tool employed in loading a firearm, it falls under the definition given in clause 8, schedule II of the Arms Act, and that as shot pouches and capping-machines for muzzle-loaders fall under the same category, they are liable to payment of the duty specified in that schedule.

India's No 1030, dated 7th October 1883.

In regard, however, to bullet-moulds, this decision does not apply, since bullet-moulds are not articles employed in the process of loading, but machines for manufacturing ammunition. Iron droppings or pellets known as "búnda" and used by native shikaris instead of shot, are ammunition within the definition of the Arms Act, 1878.

India's No 1814, dated 19th December 1883, and G O No. 62/VI—420B., dated 10th January 1884.

It has been decided that bird-shot shall not be regarded as ammunition for the purposes either of the Arms Act, or of the Tariff Act. For the purposes of the latter Act it shall, in accordance with the prevailing practice, be classed under the head of the metals. These orders extend to all kinds of shot.

Duties under Arms Act Remissions and refunds of—
India's No. 61/1884, dated 15th November 1884

Applications for a remission or refund of duty under section 6 of the Act may be made by three classes of persons, *viz.*, (1) persons exempted from the operation of those provisions of the law which require a license for the possession of arms, (2) persons licensed according to law to possess arms, and (3) importers who have sold

arms retail in reasonable quantities for their own private use to persons belonging to either of the above classes.

A remission or refund of duty, if asked for under section 8 of the Act by an *exempted* person, should, as a rule, be granted without question by the customs authorities. In such cases the presumption would ordinarily be that the transaction is a *bonâ fide* one; but if the amount of the consignment in any particular instance, or the circumstances of the case generally should be such as to render it doubtful whether the articles are imported in reasonable quantity for the private use of the applicant, the Collector of Customs, or other officer empowered by the Local Government in that behalf, should, under section 6 of the Act, detain the arms or ammunition until he receives the orders of the Local Government thereon. A similar procedure should be adopted in the case of applications made by persons who belong to either of the two other classes described. As regards persons licensed to possess arms, the customs authorities should further verify the fact that the arms imported or purchased correspond with the amount entered in the license, and should endorse on the license the amount of the consignment on account of which a remission or refund of duty is granted, referring doubtful cases for the orders of the Local Government under section 6 of the Act.

Department of Finance and Commerce, No. 3457 of 8th July 1889.

The concession regarding the refund of the difference between the specific and *ad valorem* duty on arms purchased for the private use of European British subjects residing in native states should apply to Eurasians and other classes referred to in clause 5 of paragraph 1 of the Home Department Notification of 6th March 1879,* who are natural-born or naturalised subjects of Her Majesty.

Punishments under the Act.

THE following remarks on the working of the penal clauses of the Arms Act and the grant of licenses were made in the resolution on the working of the Act in 1884:—

G.O. No. 1323/VI—125, dated 25th July 1885.

The Lieutenant-Governor desires that Magistrates of districts will in future act systematically upon the orders given in the resolution of 1882, which are here cited marginally for ready reference. The Government considers that injudicious punishments of petty or venial offences against the Arms Act do much mischief and cause great hardship; and the Lieutenant-Governor trusts that Commissioners will and District Magistrates will hold themselves responsible for superintending the proceedings of their subordinates in the matter. The Lieutenant-Governor and

> As a rule, offences cognizable under the Act, which were due to ignorance or carelessness, would be sufficiently punished by a fine: and imprisonment should not be awarded unless from the character of the offender or otherwise it can fairly be presumed that the arms were kept for an unlawful purpose. Commissioners and Magistrates should continue to scrutinise the proceedings of their subordinates attentively, should take pains to see that the law is not worked harshly, and should report to Government all cases in which excessive punishments were awarded, or arms improperly confiscated.

* See page 8 *ante*.

Chief Commissioner sees no reason why licenses to possess arms, especially for sport and the destruction of wild animals, should not be granted liberally to respectable landowners and to other persons of property and good repute in the country. And it is a matter of nothing more than commonsense and discretion that inadvertent or immaterial breaches of the Act should receive from Magistrates no more punishment than is necessary to maintain the law.

Returns of punishments, G. O. No. $\frac{1015}{VI-38A}$, dated 31st May 1887, and G. O. No. $\frac{2214}{VI-175C}$, dated 10th August 1893.

With a view to enable Commissioners to scrutinise the working of the Arms Act in their Divisions, the Lieutenant-Governor and Chief Commissioner has been pleased to prescribe the following form for showing the punishments, &c., inflicted by Magistrates for breaches of the provisions of the Act. This statement should be submitted by Magistrates to Commissioner at the close of each month.

Return showing the punishments inflicted for breaches of the Arms Act.

District.	Name of person punished.	Section and clause of Act under which punished.	Punishment awarded	Remarks by Magistrates.

Annual grant, renewal and distribution of licenses in form VIII—G. O. No. $\frac{1932}{VI-315B}$, dated 16th August 1889.

THE following instructions are issued in order to facilitate the annual grant, renewal and distribution of arms licenses in form VIII:—

1. Applications for licenses in form VIII, or for renewal thereof, which are required to be written on impressed paper of the value of eight annas for each weapon in disarmed districts, and of four annas for each weapon in districts which have not been disarmed, should ordinarily be presented to a Magistrate or sent by post registered, so as to reach the District Magistrate by the 15th December in each year.

2. If the application be for the grant of a new license, the applicant should, if necessary, be required to present himself in ... ide; but for

3. If the application be for renewal of license, no inquiry should ordinarily be necessary beyond a reference to the register in form G (page 62 of the Manual of Government Orders); but the District Superintendent of Police should bring to the notice of the Magistrate during the year any irregularity or breach of the ... e, and ... been

4. The forms of licenses should be printed on stout, durable paper, procurable at the Government Press. It is not necessary to issue fresh forms annually in case of renewal, but it will be sufficient to endorse the old forms with a stamp bearing the words "renewed up to 31st December 18 ."

5. Licenses should ordinarily be ready for delivery by 15th January at the latest; and it shall be optional for applicants to appear in person and take delivery on that date, or on a date to be fixed by the District Magistrate, or to have them sent through the village chaukidrás. The mode of exercising this option should be stated in the application for grant or renewal.

6. Licenses to be delivered through village chaukidárs should be sent through the office [illegible] Police, accompanied by a list ar[illegible] the officers in charge of the [illegible] of which the licensees reside. Each license with its invoice should be made over, for delivery to the licensee, to the chaukidár of the licensee's village, on the occasion of the chaukidár's next periodical visit to the police station after the receipt of the licenses. The date of making over the license to the chaukidàr should be endorsed on the invoice, and on the occasion of his following visit to the police station the chaukidár should return the invoice signed and dated by the recipient, and report the date of the actual delivery.

7. The list and invoices should be returned to the Magistrate through the District Superintendent of Police, who should scrutinise them, and bring all cases to the Magistrate's notice in which more than a fortnight's delay may have taken place in the delivery of any license.

8. Copy of the entries in register G should ordinarily be furnished to the District Superintendent of Police by the 1st February, for compliance with rule X, page 58 of the Manual of Government Orders.

Arms licenses Grant of—to persons of doubtful character.
G. O. No. $\frac{1016}{VI-598}$, dated 4th May 1892.

THE attention of Magistrates is drawn to the annexed circular issued by the Inspector-General of Police, North-Western Provinces and Oudh, and they are directed to give their close attention to the matter. The issue of licenses under the Arms Act in localities where the number of dakaitis or crimes of violence has attracted notice, should be reviewed and restricted.

Circular.

It having been brought to the notice of the Inspector-General that licenses to carry arms in form VIII are in many cases granted to men of bad character, who not only are not entitled to them,

but actually use them for purposes of crime or assisting criminals, District Superintendents of Police are instructed to issue orders to all officers in charge of police stations to scrutinise very carefully all lists of arms' licenses, and to bring any such cases to their notice.

District Superintendents of Police will, after careful personal inquiry in each case, and after satisfying themselves that the information on which the license-holder is classed as a bad character is correct, bring these cases to the notice of the District Magistrate and apply for the withdrawal of the license.

Arms licenses in form VIII.
Resolution No. 2099/VI—175C, dated 27th July 1893.

LICENSES in form VIII should be separated into the following three sub-classes—those granted for (a) sport, (b) protection of self, family or property from danger other than that from wild animals, and (c) display. It should be noted in the annual report for each district how many licenses were granted under each head, the reasons which necessitated the grant for protection being briefly stated.

G. O. No. 2512/VI—175C, dated 6th June 1894.

There is no objection, however, to an arms license in form VIII being granted in respect of a particular weapon for any two or all of the following purpose: (a) sport, (b) protection and (c) display. The classification of the license in such cases for the purpose of the annual return should be made according to the primary purpose for which the weapon is given. The primary purpose should be stated in the license before the secondary one.

[illegible] one only of the three pur- [illegible] not be held to have com- [illegible] license should he use the weapon covered by the license on occasions for either of the other two purposes.

Arms Search for—
G O No 2285/VI—175C, dated 23rd August 1893.

OWING to the incorrect view adopted by a Magistrate, that search for arms can only be made when it is shown that the weapons are likely to be used for an illegal purpose, the exact procedure which should be adopted in searching for arms is pointed out for the guidance of Magistrates.

Practically, all the districts in the North-Western Provinces and Oudh have been dis[illegible] any exemption, whc[illegible] of any description, [illegible] license and in the [illegible] punishable under sec[illegible] for a term which may extend to three years, or with fine, or with both. As this offence is one cognizable by the police (vide schedule II of the Criminal Procedure Code), an officer in charge of a

police station having reason, from information received or otherwise, to suspect that it has been committed, is empowered (section 157) to investigate the case, and in certain circumstances to search for the article (section 165), the unlawful possession of which he has reason to suspect. Similarly, a Magistrate taking cognizance (section 191) of such an offence might issue a search warrant under section 96, Criminal Procedure Code. In both cases the provisions of section 30, Act XI of 1878, and the orders issued under it, would govern the procedure of the person conducting the search. The search must be made in the presence of one of the persons specially appointed by virtue of office for the purpose (*vide* rule V, page 55 *ante*).

Mere speculative searches are not of course authorized by the law. Before taking action the police officer must have reason to suspect the commission of the offence, and the Magistrate must either know or suspect that the offence has been committed, or must receive a complaint or police report of facts which constitute the offence.

In ordinary cases relating to searches for unlicensed weapons possessed in contravention of the provisions of section 14 or 15, Act XI of 1878, section 25 of the Act will not apply. Section 25 would cover the case of a person even lawfully entitled to possess arms who is believed to be about to use them for an unlawful purpose, or who cannot be left in possession of them without danger to the public peace It appears "refer to cases in which the Magistrate considers that arms, whether under a license or not, are possessed for an illegal purpose or under circumstances such as to endanger the public peace" (*vide* ruling in case of Queen-Empress *vs.* Tegha Singh, Indian Law Reports, Calcutta Series, Vol. VIII, page 473). If a Magistrate finds it necessary to take action under section 25, the grounds of his belief that the person whose house is to be searched possesses arms for an unlawful purpose or cannot be left in possession of them without danger should be carefully recorded, as prescribed by the provisions of the section, which have been repeated by the High Court in the ruling in the case of Queen-Empress *vs.* Sangam Lal (Weekly Notes of March 6th, 1893).

Passes to Colonial soldiers.

G. O. No $\frac{2311}{VI-282B}$, dated 29th August 1894.

CASES have occurred in which sepoys and native officers serving in the Colonies have obtained passes from their Commanding Officers, under paragraphs 1527, 1528 and 1529 of the Army Regulations, India, Volume II, authorizing them to carry arms and ammunition when returning to their homes in India. The Regulations in question are applicable only to the Native Army of India, and Officers Commanding Colonial Corps (or bodies of police) recruited in India have no power to grant such passes to men returning to this country. The Customs authorities in India have accordingly been instructed not to recognize such passes, and steps have been taken

to notify Colonial Governments that they should not be granted. Reasonable consideration should, however, be shown to soldiers to whom they have already been granted.

Passes to reservists.
G. O. No. $\frac{3695}{VI-339C}$, dated 12th October 1894.

OFFICERS Commanding regimental centres have been instructed to furnish Magistrates of districts with the names of such reservists as have already been, and may in future be, granted passes under paragraph 1527, Army Regulations, India, Volume II, to carry and bear private arms, together with a description of the arms covered by the passes. A list of reservists who have been granted such passes should be maintained in Magistrates' offices, as the information may on occasions be useful.

Explosives Act. Arms Act. List showing licenses which can be granted under—
G. O. No. $\frac{4081}{VI-80B}$, dated 22nd December 1892.

THE annexed lists shows what licenses can be granted in the North-Western Provinces and Oudh under the Arms and Explosives Acts.

(FOR FEES, SEE SEPARATE SCHEDULE ANNEXED.)

List showing the licenses which can be granted in the North-Western Provinces and Oudh under the Arms Act (XI of 1878) *and the Explosives Act (IV of* 1884).

Serial number.	Object desired by person requiring a license.	Licenses necessary to be taken out to effect the object desired.		Remarks.
		Under the Explosives Act (IV of 1884).	Under the Arms Act (XI of 1878).	
1	2	3	4	5
1	Arms and ammunition—to go armed on a journey.	Not required, the ammunition being possessed in reasonable quantities for private use (*vide* rule 9, page 131—VI, Manual of Goverment Orders).	Form IX ...	
2	Arms and ammunition—to possess and to go armed.	Not required, the ammunition not exceeding in amount the quantities named in rule 4 (1), page 124-VI, Manual of Government Orders.	Form VIII ...	
3	Arms and ammunition—to possess for the purpose of destroying wild animals.	Ditto ...	Form XI ...	

4	Arms (firearms), ammunition and military stores†—to possess in a district which has not been disarmed.	Not required, the ammunition not exceeding in amount the quantities named in rule 4 (1), page 124-VI, Manual of Government Orders.	Form X	...	If a person wishes *to carry* a fire-arm or other weapon in a district which has not been disarmed, a license in form VIII or XI is necessary. A license in form X is necessary to enable a person to *possess* (without carrying) firearms. No license is required to cover *possession* of other weapons.
5	Arms, ammunition and military stores †—to keep and sell	Form B in the case of gunpowder or of an explosive of the 1st division of the 6th (ammunition)* class in quantities not exceeding at one time 200lbs of gunpowder and 500lbs. of explosive contained in ammunition; otherwise form F, in addition to form D or E.	Form VII	...	
6	Arms, ammunition and military stores †—to manufacture, convert or sell or keep	Form A† in the case of gunpowder or of an explosive of the 1st division of the 6th (ammunition)* class in quantities not exceeding at one time 200lbs. of gunpowder and 500lbs of explosive contained in ammunition	Form VI	...	† In other cases licenses for manufacture can only be granted by the Governor-General in Council *vide* rule 12, page 126-VI, Manual of Government Orders). See also the exemptions in rule 2, page 123-VI, and in rule 28, page 129-VI.

(FOR FEES, SEE SEPARATE SCHEDULE ANNEXED).

List showing the licenses which can be granted in the North-Western Provinces and Oudh under the Arms Act (XI of 1878) and the Explosives Act (IV of 1884)—(continued).

Serial number.	Object desired by person requiring a license.	Licenses necessary to be taken out to effect the object desired.		Remarks.
		Under the Explosives Act (IV of 1884).	Under the Arms Act (XI of 1878).	
1	2	3	4	5
7	Arms, ammunition or military stores †—to transport.	Not required, *vide* rule 4 (1), page 124-VI, Manual of Government Orders.	Form II, subject to the exemption in rule 3, page 18-VI, Manual of Government Orders.	For rules regulating the transport of ammunition, the packing and mode of conveyance, see pages 103-VI, Manual of Government Orders.
8	Arms, ammunition or military stores †- to import by river or land.	Not required, *vide* rule 4 (1), page 124-VI, Manual of Government Orders.	Form IIIA ...	For rules regulating the transport of ammunition, the packing and mode of conveyance, see pages 108 and 112-VI, Manual of Government Orders.

9	Arms, ammunition or military stores †—to export by river or land.	Ditto ...	Form V ...	Can be granted only by the Secretary to the Government of India, Foreign Department, or by any other officer especially empowered by the Government of India. In the case of export to a native state within the political control of the Local Government, a Secretary to Government, North Western Provinces and Oudh, has been so empowered (VI 21), and in certain cases the Lieutenant Governor's Agents (VI 23); the District Magistrate of Meerut has been also empowered to grant such licenses under certain conditions (VI-23)
10	Explosives other than those of the 1st (gunpowder) class or of the 1st division of the 6th (ammunition,* class, or of the 7th (fireworks) class, or of the 5th (fulminate) class—to possess in quantities not exceeding 60lbs. at a time.	Form D. ...	Form D must be endorsed to have the effect of a license in form VII, excluding all provisions as to sale and as to arms and military stores.†	See exemptions noted in rule 4, page 124 VI, Manual of Government Orders - in such cases a license would be required under the Arms Act only in the appropriate form.
11	Explosives generally other than those of the 5th (fulminate) class—to possess.	Form E ...	Form E must be endorsed to have the effect of a license in form VII, excluding all provisions as to sale and as to arms and military stores.†	Ditto Magazine licenses in form E are granted by the Local Government. Licenses for the possession of explosives of the 5th (fulminate) class can only be granted by the Governor-General in Council

(FOR FEES, SEE SEPARATE SCHEDULE ANNEXED.)

List showing the licenses which can be granted in the North-Western Provinces and Oudh under the Arms Act (XI of 1878) and the Explosives Act (IV of 1894)—(concluded).

Serial number.	Object desired by person requiring a license.	Licenses necessary to be taken out to effect the object desired.		Remarks.
		Under the Explosives Act (IV of 1884).	Under the Arms Act (XI of 1878).	
1	2	3	4	5
12	Explosives of classes or in quantities other than those referred to in Serial Nos. 13, 16 and 17—*to sell*.	Form F, in addition to holding *form* D *or* E, as the case may be.	Form F (as well as form D or E) must be endorsed to have the effect of a license in form VII, excluding all provisions as to arms and military stores.†	
13	Fireworks † - to manufacture, sell and possess in quantities not exceeding 200lbs, at a time.	Form A-I ...	Form A-I must be endorsed to have the effect of a license in form VI, excluding all provisions relating to arms and military stores.†	No license is required under the Explosives Act for the mere possession of fireworks if obtained and intended for immediate use, and if kept for a period not exceeding 14 days in a safe and suitable place and with all due precautions for the public safety [*vide* rule 4 (2), page 124-VI, Manual of Government Orders].
14	Gunpowder and fuses for blasting purposes - to possess and transport.	Form C or D or E, according to the class or quantity of the explosive, subject to the exemptions noted in rule 4(1), page 124-VI.	Form C *or* D *or* E must be endorsed to have the effect of a license in form XII.	

				Or a license must be granted in form XII, and if the licensee only required an explosive in certain quantities for his own use, he would be exempt from taking out a license under the Explosives Act [rule 4(1), page 124-VI, and rule 9, page 131-VI, Manual of Government Orders].	
15	Gunpowder or an explosive of the 1st division of the 6th (ammunition)* class—to possess in quantities not exceeding at a time 200lbs. of gunpowder and 500lbs. of explosive contained in the ammunition.	Form C	...	Form C must be endorsed to have the effect of a license in form VIII, excluding all provisions as to possessing arms or to going armed.	See exemptions noted in rule 4 (1), page 124-VI, Manual of Government Orders: in such cases a license would be required under the Arms Act only in the appropriate form.
16	Gunpowder or an explosive of the 1st division of the 6th (ammunition)* class—to sell and possess in quantities not exceeding at a time 200lbs of gunpowder and 500 lbs of explosive contained in the ammunition.	Form B	...	Form B must be endorsed to have the effect of a license in form VII, excluding all provisions as to arms and military stores.†	
17	Gunpowder or an explosive of the 1st division of the 6th (ammunition)* class—to manufacture, sell and possess in quantities not exceeding at a time 200lbs of gunpowder and 500lbs of explosive contained in the ammunition.	Form A	...	Form A must be endorsed to have the effect of a license in form VI, excluding all provisions as to arms and military stores†.	See exemptions in rule 2, page 123-VI, and in rule 28, page 129-VI, Manual of Government Orders.

*Safety cartridges, safety fuses for blasting, railway fog signals, and percussion caps (cf pages 101 and 102-VI, Manual of Government Orders).

† Covers sulphur (in quantities above ten sers), and in districts on the external land frontier of the North-Western Provinces and Oudh saltpetre and lead (cf. page 10 VI, Manual of Government Orders).

SCHEDULE OF FEES FOR LICENSES.

Arms Act—

Form I.—Free of fee.

,, II.—Ten rupees in stamps.

,, III.— Ditto.

,, IV.— Ditto.

,, IVA.—Five rupees in stamps.

,, V.— Ditto. (unless remitted by Government of India or where the licenses are for native chiefs.

,, VI.—Twenty rupees in stamps.

,, VII.—Ten rupees in stamps.

,, VIII.—Eight annas per weapon in disarmed districts, four annas per weapon in other districts, payable in stamps (see also rule 13A at page 27, Department VI, Manual of Government Orders).

,, IX.—Four annas per weapon, payable in stamps, for licenses granted in British India. Free of all fee for licenses granted by Political Agents to subjects of native states.

,, X.—Free of fee.

,, XI.— Ditto.

,, XII.— Ditto.

Explosives Act—

Form A.—Twenty rupees to manufacture, possess and sell at a time not more than 200lbs. of gunpowder and 500lbs. of explosive contained in ammunition.*

Ten rupees to manufacture, possess and sell at a time not more than 100lbs. of gunpowder and 250lbs. of explosive contained in ammunition.*

Five rupees to manufacture, possess and sell at a time not more than 50lbs of gunpowder and 125lbs. of explosive contained in ammunition.*

,, B.—Ten rupees to possess and sell at a time not more than 200lbs. of gunpowder and 500lbs. of explosive contained in ammunition.*

Five rupees to possess and sell at a time not more than 100lbs. of gunpowder and 250lbs. of explosive contained in ammunition.*

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* *Vide* page 125-VI, Manual of Government Orders.

Two rupees eight annas to possess and sell at a time not more than 50lbs. of gunpowder and 125lbs. of explosive contained in ammunition.*

Form C.—Eight annas in stamps.†

" AI.—Eight annas in stamps.

" D.—Five rupees in stamps.†

" E.—Twenty rupees in stamps.†

" F.—Five rupees in stamps.

‡ *A list of native states under the control of the Panjáb Government, together with the names of the Political Agents to whom references under clause (c) and to whom copies of licenses issued should be forwarded under clause (f) is given below :—*

No.	Native state.	Political Agents
1	Patiala	Secretary to Government, Panjab.
2	Bahawalpur	
3	Jhind	
4	Nabha	
5	Kapurthala	Commissioner, Jalandar Division
6	Faridkhot	
7	Mandi	
8	Suket	
9	Chamba	Commissioner, Lahore Division.
10	Maler Kotla	Commissioner, Delhi Division.
11	Kalsia	
12	Loharu	
13	Dojansi	
14	Patandi	
15	Sirmur (Nahan)	Superintendent, Simla Hill States.
16	Kahlur (Bilaspur)	
17	Bashahr	
18	Hindur (Nalagarh)	
19	Keonthal	
20	Baghal	
21	Baghat	
22	Jabbal	
23	Kumharsain	
24	Bhajji	
25	Mailog	
26	Balson	
27	Dhami	
28	Kuthar	
29	Kunhar	
30	Mangal	
31	Bija	
32	Darkuti	
33	Taroch	
34	Sangri	

* *Vide* page 125-VI, Manual of Government Orders.

† No fee is charged for licenses granted to contractors, cultivators and other persons when the explosive is required in reasonable quantities for blasting purposes. [See page 29-VI *ante*.]

‡ See under rule 7 at pages 21-23 *ante*.

CANAL OFFICERS.

Circular No. 85, dated 17th November 1876.

All canal officers exercising judicial powers should forward in the following form an abstract of the cases decided by them to the Magistrate of the district as soon as possible after the end of each month :—

Abstract of cases decided by in the district during the month of 189 .

Pargana.	Village.	Name of accused.	Offence (quoting Acts and rules).	By whom reported.	Defence (if any).	Witnesses for defence examined.	Name and designation of witnesses for the prosecution.	Finding and sentence.	Duration of trial.	Remarks.

Circular No. 628/VI—606, dated 13th April 1887.

All Magistrates of canal districts in the North-Western Provinces should prepare quarterly statements in the form given below, showing the number of cases decided by canal officers in which they have exercised revisional power, and forward them to the Commissioners of their divisions for submission to Government :—

Name of accused	Offence (quoting Acts and Rules).	Finding and sentence.	Remarks, with abstract of orders if any given by District Magistrate.

Supervision by District Magistrate—No. 1620/VI—693, dated 4th June 1883.

In the exercise of their judicial functions canal officers are entirely subordinate to the Magistrate of the district within whose jurisdiction any alleged offence was committed. To the Magistrate of the district—and to him alone—all appeals from such decisions lie

The attention of Magistrates is invited to the revisional powers vested in them under the law, in virtue of which they may call for and examine the record of any cases decided by Subordinate

Magistrates; and the Lieutenant-Governor desires that this revisional jurisdiction be constantly kept in view and acted upon at discretion. The judicial work performed by canal officers should be detailed—and commented on, when necessary—in the annual district report.

The Lieutenant-Governor and Chief Commissioner desires to remined District Magistrates that the Canal Magistrates are in the exercise of judicial functions entirely subordinate to them; and he trusts that in the future the supervision of the work of these officers will not be relaxed. A regular inspection of some of the cases disposed of by [illegible] districts to satisfy t[illegible] the exercise of their [illegible] promptness and moderation.

CANAL OFFICERS.

Circular No. 85, dated 17th November 1876.

ALL canal officers exercising judicial powers should forward in the following form an abstract of the cases decided by them to the Magistrate of the district as soon as possible after the end of each month :—

Abstract of cases decided by in the district during the month of 189 .

Pargana.	Village.	Name of accused.	Offence (quoting Acts and rules).	By whom reported.	Defence (if any).	Witnesses for defence examined.	Name and designation of witnesses for the prosecution.	Finding and sentence.	Duration of trial.	Remarks.

Circular No. $\frac{628}{\text{VI—696}}$, dated 13th April 1887.

All Magistrates of canal districts in the North-Western Provinces should prepare quarterly statements in the form given below, showing the number of cases decided by canal officers in which they have exercised revisional power, and forward them to the Commissioners of their divisions for submission to Government :—

Name of accused.	Offence (quoting Acts and Rules).	Finding and sentence.	Remarks, with abstract of orders if any, given by District Magistrate.

Supervision by District Magistrate—No. $\frac{1060}{\text{VI—698}}$, dated 4th June 1883.

IN the exercise of their judicial functions canal officers are entirely subordinate to the Magistrate of the district within whose jurisdiction any alleged offence was committed. To the Magistrate of the district—and to him alone—all appeals from such decisions lie

The attention of Magistrates is invited to the revisional powers vested in them under the law, in virtue of which they may call for and examine the record of any cases decided by Subordinate

Magistrates; and the Lieutenant-Governor desires that this revisional jurisdiction be constantly kept in view and acted upon at discretion. The judicial work performed by canal officers should be detailed—and commented on, when necessary—in the annual district report.

The Lieutenant-Governor and Chief Commissioner desires to remined District Magistrates that the Canal Magistrates are in the exercise of judicial functions entirely subordinate to them; and he *trusts that in the future the supervision of the work of these*

CAPITAL PUNISHMENT.

Execution of—in partial seclusion.
Resolution No. 465A, dated 16th April 1875.

THE Government is in favour of an extension throughout all districts of the practice of executing capital sentences in partial seclusion. With this object, gallows enclosures have been constructed at several jails, and others will be constructed when funds can be provided.

G. O. No. 736A, dated 25th May 1875.

The following are the rules prescribed for the execution of capital sentences in partial seclusion:—

I.—Intimation shall be sent by the Superintendent of the jail to the Magistrate of the district on the day previous to that fixed for the execution.

II.—The Magistrate of the district shall be present himself, or appoint a Joint or Assistant Magistrate to be present, at the place of execution before sunrise on the day fixed.

III.—The Magistrate of the district shall instruct the District Superintendent of Police to order for duty a party from the reserve, consisting of not less than

One Inspector or sub-inspector,

Two head-constables and 12 constables,
armed with muskets and having ball ammunition in their pouches.

IV.—The gallows shall be erected and the rope tested in the presence of the Superintendent of the Jail on the evening before the execution, he being personally responsible that these arrangement are properly made.

V.—At daybreak the naib darogah of the jail and two warders shall be posted at the outer door of the gallows enclosure, and shall be directed to admit within the enclosure all males of mature age and respectable deportment who may ask to be admitted, up to the number of 300.

VI.—As soon as the Magistrate or his Assistant, the Medical Superintendent of the Jail, the Native Doctor, and the extra police guard have taken their places in the inner enclosure in front of the gallows, the criminal shall be brought from the condemned cell in the jail under the charge of the jailor or darogah, and guarded by the head-constable and the four constables who have been on duty over him, and he shall be conveyed through a special wicket in the gallows enclosure wall to the foot of the gallows.

VII.—His handcuffs shall then be removed and his arms to pinioned behind his back, after which his leg-irons shall be struck off.

VIII.—Before mounting the scaffold the criminal shall be identified by the Superintendent of the prison and the Jailor as the individual named in the warrant of execution, which warrant shall then be read over by the Superintendent in English, and by the darogah or other official in the vernacular.

IX.—The body shall remain suspended for one hour, and after being taken down shall be viewed by the medical Superintendent, who shall certify that life is extinct and shall return the warrant of execution to the Judge with an endorsement to the effect that the sentence has been carried out.

Chemical Examiner, Rules for transmission of substances to—.
G. O. No $\frac{143}{VI-82.C}$, dated 16th January 1893.

CHEMICAL EXAMINER.

The following rules regarding the transmission of substances to the Chemical Examiner and Government Analyst, North-Western Provinces and Oudh, for analysis and report have been sanctioned.

I.—Criminal Cases.

1. Substances ought not to be sent to the Chemical Examiner for analysis when there is neither a reasonable suspicion that poison has been used, nor anything in the *post mortem* examination of the bodies leading to such a supposition. Magistrates should limit their references to that officer to cases of necessity, and in which the local medical officer cannot afford the information required.

2. Civil [illegible] are to remem-
ber that the d [illegible]
and of requiri [illegible]
sible under section 510 of the Criminal Procedure Code, is one which lies solely within the province of the Magistrate conducting the inquiry for which information on the character of the suspected substance is required. Such references should not under any circumstances be made by them directly.

3. If the Civil Surgeon can give a decided opinion regarding stains supposed to be those of blood, it is unnecessary to refer to the Chemical Examiner; but if the Civil Surgeon is unable to settle the question, and if evidence on it is *very* desirable, it should be referred to the Chemical Examiner; but there is no trustworthy process for the distinguishing of human blood from that of the lower mammalian animals, and although the blood of birds, fishes, and reptiles can be distinguished from that of man, yet that of the mammalian animals, except the camel, cannot be so distinguished.

4. When in the course of any proceeding under the Criminal [illegible] reference to the Chem-
[illegible] No. 3) call
[illegible] le 8, request
[illegible] rm No. 1) to
[illegible] hich analysis
[illegible] eport to the
[illegible] tails shall be
given of the substance sent or received and of the case in which the reference is made, so that no question as to the identity of the article can be raised.

5. The Chemical Examiner should be furnished for his information and guidance with every detail obtainable from both the medical officer and from deponents which will throw light on the case or afford him a clue.

6. In cases of analysis of portions of a dead body, besides a copy of the *post-mortem* examination, the Chemical Examiner should be furnished with replies to the queries printed on the annexure (B) to form No. 3.

7. Great care should be used in packing all substances sent to the Chemical Examiner; otherwise the success of the analysis is endangered, while the transmission of decomposed matter through the post in vessels which leak is most offensive and dangerous to the officers of the Postal Department, and might justify the prosecution of the sender under section 42 of the Post-office Act, XIV of 1866. The Chemical Examiner is directed to report the names of any officers who offend against these instructions.

8. The duty of preparing and despatching the subjects sent for analysis devolves on the Civil Surgeon or officer in civil medical charge. The cost of preparation and of packing and postage should be charged in the Magistrate's contingent bill. Despatching officers will be held personally responsible that the subjoined instructions are carefully followed. Whenever practicable, such parcels should be packed under the immediate supervision of the Civil Surgeon or officer in civil medical charge; in subdivisions at the headquarters of which the *post-mortem* examination of bodies is authorized, the substance shall be despatched by the medical officer of the subdivision, or, if necessary, by the Magistrate—

(i) The suspected substance or *tissue*, or other portion of body to be sent for examination, should be enclosed in a glass bottle or jar, properly cleaned with distilled water, and fitted with a glass stopper or sound cork.

(ii) To each jar or bottle a label should be attached in printed form No. 7.

(iii) If liable to decomposition, the substance to be analysed should be immersed in methylated spirits of wine, which should be used in the proportion of one-third of the bulk of the material.

(iv) The use of spirits of wine in packing *viscera* should be invariable, whether the season is hot or cold, and care should be taken that common bazár spirit is not used.

(v) The stopper or cork should be carefully tied down with bladder or leather, and sealed with a seal having a distinct device. To ascertain that it has been securely closed, the bottle or jar should be placed for some minutes with its mouth down. Under cover of the letter advising the despatch, an impression of the seal used for sealing the stopper or cork should be sent to the Chemical Examiner.

(vi) The glass bottle or jar should then be placed in a strong wooden or tin box, which should be large enough to allow of a layer of raw cotton, at least three-fourths of an inch thick, being put between the bottle or the jar and the box.

(vii) The box itself should be encased in common *garah* cloth, which should be sealed in accordance with the usual rules of the post-office as to parcels.

(viii) The number of the letter advising the despatch of the article should be entered on the outside of the box above the sender's name.

(ix) A declaration of contents to the officials of the Postal Department is unnecessary and should not be made.

II.—MISCELLANEOUS CASES.

9. All officers requiring substances to be analysed in which the quantities of constituents have to be determined, such as potable waters, should remember that such analyses occupy a great deal of time, and that therefore no needless analysis should be called for. Care should be exercised to diminish the number of samples to be analysed as much as possible. A certificate in every case should be obtained from the Magistrate of the district that the analysis is absolutely necessary. Without it, the Government Analyst is empowered to decline undertaking the analysis.

10. Any Municipal Board requiring an analysis to be made shall forward to the Government Analyst, with the letter asking for analysis, the Treasury Officer's receipt for the prescribed fee (*vide* page 169 XI. Municipal Manual).

11. The result of the analysis of substances other than those relating to criminal cases will be reported in form No. 6.

No.———

Chemical Examiner's Form No. 1.

FROM

THE MAGISTRATE OF ————————

To

THE CIVIL SURGEON OF ————————

Dated———————————189

CASE No.———

Queen-Empress *versus*—————, caste —————, son of —————, of mauza—————, charged under section———, Indian Penal Code.

SIR,

You are requested to forward to the Chemical Examiner, Agra—

(1) the *; taken from the body of——, caste , son of , of mauza , which was sent for *post-mortem* examination on the of , or (2) the undermentioned article† sent herewith by the hand of .

* (Here enter the portion of the body)

† Enter full details of the substance sent, with the name of owner, or of person from whose possession it was taken. In case of viscera of an animal the name of the owner of the animal should be stated.

I have the honor to be,

SIR,

Your most obedient servant,

Magistrate.

No.——

Chemical Examiner's Form No 2

FROM

THE CIVIL SURGEON OF

To

THE CHEMICAL EXAMINER,

N.-W. PROVINCES AND OUDH.

Dated —————— 189

CASE No.——

Queen-Empress *versus*————, caste ——, son of————, of mauza————, charged under section————, Indian Penal Code.

SIR,

AT the request of————————, Magistrate of this district, I have the honor to forward to you by———— ————**—the undermentioned article ‡ :—

‡ Enter full details of the substance sent, with the name of owner or of person from whose possession it was taken. In case of viscera of an animal, the name of the owner of the animal should be stated.

It is packed in————————, which is sealed with a seal the impression of which is herewith enclosed.

I have the honor to be,

SIR,

Your most obedient servant,

Civil Surgeon

Chemical Examiner's Form No. 3.

No.______.

FROM

THE MAGISTRATE OF______________

TO

THE CHEMICAL EXAMINER,

N.-W. PROVINCES AND OUDH.

Dated ______________ ___189 .

CASE NO.______

Queen-Empress *versus*__________, caste______, son of__________, of mauza__________, charged under section , Indian Penal Code.

SIR,

I HAVE the honor to advise you that the Civil Surgeon of this district has been instructed to forward to your address for analysis and report the article detailed below* :—

and to request that you will apprise me of the result of your examination. It is suspected that______________

____

____

I have the honor to be,

SIR,

Your most obedient servant,

Magistrate

* Full details must be given; *e. g.*, if a stomach is sent, the name of the deceased and his caste, parentage and residence. If a bullock's intestines are forwarded, the name, &c., of its owner.

A.—Copy of the report of the *post-mortem* examination.
(*See Rule* 6.)

*Hospital*______________189 .

Post-mortem examination of the body of______________

____

External ______________

____

____

Head ______________

____

Lungs ______________

____

Heart ______________________________

Liver ______________________________

Spleen ______________________________

Stomach ______________________________

Intestines ______________________________

Kidneys ______________________________

Bladder ______________________________

Womb ______________________________

Cause of death ______________________________

Assistant Surgeon. *Civil Surgeon.*

(True copy.)

Magistrate.

B.—Further information required in certain cases.

(*See Rule* 6.)

(*a*) What interval was there between the last time that the person who is supposed to have been poisoned ate or drank anything, and the first appearance of symptoms of poisoning?

(*b*) What interval was there between the last time of eating or drinking and the death of the person (if death occurred)?

(*c*) Did the person move from the place where the first symptoms were noticed? If so, how far did he go?

(*d*) What were the first symptoms?

(*e*) Did vomiting or purging occur?

(*f*) Did the person become drowsy or fall asleep?

(*g*) Were any cramps or twitching of the limbs observed or tingling of the skin or throat complained of?

(*h*) Mention any other symptoms noticed.

Chemical Examiner's Form No. 4.

No. ________ .

FROM

THE CHEMICAL EXAMINER,

N.-W. PROVINCES AND OUDH,

To

THE CIVIL SURGEON OF ______

Dated Agra, the ____________ 189 .

CASE No. ______ .

Queen-Empress *versus* ____________, caste ______, son of ______, of mauza ____________, charged under section ______, Indian Penal Code.

HAS the honor to acknowledge the receipt in good order of the sealed packet of which the despatch was notified in his No. ___, dated ____________________.

Chemical Examiner,

N.-W. Provinces and Oudh.

Chemical Examiner's Form No. 5.

No. ________ .

FROM

THE CHEMICAL EXAMINER,

N.-W. PROVINCES AND OUDH,

To

THE ____________ MAGISTRATE OF

Dated Agra, the ____________ 189 .

CASE No. ______ .

Queen-Empress *versus* ____________, caste ______, son of ______, of mauza ____________, charged under section ______, Indian Penal Code.

SIR,

IN reply to your No. _______, dated ____________, I have the honor to intimate that I received on the ____________ by ____________ a packet, the despatch of which was notified to me by the Civil Surgeon of ________ in his No. ______, dated ____________.

The packet consisted of a ____________.

The contents of the packet were as follows* :—

The contents were duly examined by me with the result reported on the reverse.

I have the honor to be,

Sir,

Your most obedient servant,

Chemical Examiner.

* Mention actual contents with description thereof; *i.e.,* name of deceased or name of owner or possessor, as given on the label.

(REVERSE).

Report of analysis admissible as evidence under section 510, *Criminal Procedure Code.*

* * * * * * *

(Signed)
Chemical Examiner,
N.-W. Provinces and Oudh.

No. .

Chemical Examiner's Form No 6.

FROM
THE GOVERNMENT ANALYST,
N.-W. PROVINCES AND OUDH,

To ________________________

Dated Agra, the 189 .

SIR,

I HAVE the honor to acknowledge the receipt of the under-mentioned article :—

the despatch of which for analysis was intimated in your No._____, dated ______________________, and to report (on the reverse) the result of the analysis.

I have, &c.,
(Signed)
Government Analyst,
N.-W. Provinces and Oudh.

(REVERSE.)

Report of Analysis.

* * * * * * *

(Signed)
Government Analyst,
N.-W. Provinces and Oudh.

Article for analysis.

CASE No. ________.

Chemical Examiner's Form No. 7. (Label.)

Queen-Empress *versus* , caste ____, son of_______________, of mauza ________________, charged under section ________, Indian Penal Code.

Number and date of letter reporting the despatch of the parcel to Chemical Examiner.

Contents (in full detail, with name of deceased or name of owner or possessor of the article).

(Signed)
Civil Surgeon of .

CHILD MURDER.

Procedure to be observed in submitting for the orders of Government the records of cases of women convicted of—
Home Department Resolution No. $\frac{15}{1105\text{-}17}$, dated 26th September 1879.
G. O. No. $\frac{362}{\text{VI—142-1}}$, dated 5th March 1885

THE records of cases in which women are convicted of murdering their illegitimate children under circumstances that suggest a commutation of the punishment prescribed by the law for murder, shall be submitted for the orders of the Government by Sessions Judges direct, except where the Judge of the court of appeal or reference desires, in a case that has come under his notice, that a recommendation for mercy should be made. The following procedure in such cases is therefore prescribed for adoption:—

(*a*) in cases where sentence of death, is passed, a copy of the orders of the High Court or the Judicial Commissioner on the reference made to the court should be submitted to the Government as soon as that order has been certified to by the Sessions Judge. The Government will then, if necessary, call for the record;

(*b*) in cases where a sentence short of death is passed, the record should be submitted to the Government at the expiration of six months from the date of conviction, with a copy of any order that may have been passed during that period by the High Court or by the Judicial Commissioner.

In order that such cases may not be lost sight of, a register should be kept up in the following form, in which all such cases should be entered:—

1	2		3		4	5	6	7	8	9
	Submission of record to High Court or Judicial Commissioner.		Order of High Court or Judicial Commissioner.							
Date of conviction.	Date.	Whether on reference, appeal, or revision.	Date.	Substance	Date of submission of that order to Government (where sentence was capital).	Date of return of record by High Court or Judicial Commissioner.	Date of submission of record to Government.	Date of return of record by Government.	Order passed by Government.	Remarks.

DESERTERS.

Publication of return of—
Circular No. 2, dated 10th January 1868.

RETURNS of deserters from British regiments in India are published in the *Gazette of India* and republished in the gazette of these provinces. These returns should be perused and noted by magisterial officers in order to proceedings being taken, if necessary, under section 34 of the Mutiny Act, the provisions of which section should be carefully observed.

Treatment of Europeans suspected to be—
Circular No. 2A, dated 21st January 1870. G. G. O., Home Dept., No. 1657, dated 21st December 1869.

WHEN a European surrenders himself as a deserter from a regiment, the procedure laid down in the 34th section of the Mutiny Act should be followed by Justices of the Peace, and in no case should a man be committed to take his trial as a deserter, or be treated as such, merely on his own confession. In two recent instance Europeans have been treated by the civil authorities as deserters on the mere confession of the men themselves, and without any corroborative evidence as required by the Act.

Procedure on apprehension of—
India's No. $\frac{6}{369}$, dated 17th November 1881.

A CASE having recently occurred in which a European was apprehended by the police and made over to the military authorities on suspicion of being a deserter, without having first been duly committed as such by a Magistrate, the attention of all officers is called to the following section, 154 of the Army Discipline and Regulation Act,* 1881 :—

* See volume of Statute relating to India.

Apprehension of deserters

"154. With respect to deserters, the following provisions shall have effect :—

"(1) Upon reasonable suspicion that a person is a deserter, it shall be lawful for any constable, or if no constable can be immediately met with, then for any officer or soldier or other person, to apprehend such suspected person, and forthwith to bring him before a court of summary jurisdiction.

"(2) Where a person is brought before a court of summary jurisdiction charged with being a deserter under this Act, such court may deal with the case in like manner as if such person were brought before the court charged with an indictable offence, or, in Scotland, an offence.

"(3) The court, if satisfied either by evidence on oath or by the confession of such person that he is a deserter, shall forthwith, as it may seem to the court most expedient with regard to his

"(4) Where the person confessed himself to be a deserter, and evidence of the truth or falsehood of such confession is not then [illegible] for the purpose [illegible] lsehood of the said [illegible] transmit, if sitting in the United Kingdom, to a Secretary of State, and if in India to the General or other Officer Commanding the forces in the military district or station where the court sits, and if in a Colony, to the General or other Officer Commanding the forces in that Colony, a return (in this Act referred to as a descriptive return) containing such particulars and being in such form as is specified in the fifth schedule of this Act, or as may be from time to time directed by a Secretary of State.

"(5) The court may from time to time remand the said person for a period not exceeding eight days in each instance, and not exceeding in the whole such period as appears to the court reasonably necessary for the purpose of obtaining the said information.

"(6) Where the court causes a person either to be delivered into military custody, or to be committed as a deserter, the court shall send, if in the United Kingdom, to a Secretary of State, and if in India or a Colony, to the General or other Officer Commanding as aforesaid, a descriptive return in relation to such deserter, for which the clerk of the court shall be entitled to a fee of two shillings:

"(7) A Secretary of State shall direct payment of the said fee."

EUROPEANS.

Trial of—officers and soldiers. Circular No. 12A, dated 30th March 1869.

Cases against British officers and soldiers which, coming under the 101st section of the Mutiny Act,* may be tried by general courts martial, as involving offences which, if committed in England, would be felony, may be transferred to the civil jurisdiction.

No cases are to be transferred except on the recommendation of the Judge Advocate-General, subject to the decison of the Commander-in-Chief.

Custody of—committed to the High Court. Circular No. 6A, dated 29th May 1872.

European British subjects committed for trial by the High Court should always be sent to the Allahabad lock-up, the warrants of detention being addressed to the Magistrate of Allahabad.

Places where Europeans may be confined. G. O. No. $\frac{2413}{VI-769}$, dated 20th September 1892.

Under the provisions of section 541 of the Criminal Procedure Code, His Honor the Lieutenant-Governor and Chief Commissioner is pleased to declare the following to be places in which Europeans liable to be imprisoned, or committed to custody, may be confined:—

1. European prisoners under trial before Courts of Session or of Magistrates—

In cases where local arrangements cannot be made for their safe custody, in the nearest of the following prisons:—

Agra Central Prison.	Fatehgarh Central Prison,
Lucknow ditto.	Sahâranpur District Jail,
Allahabad ditto.	Jhánsi ditto.

Gorakhpur District Jail.

2. European prisoners sentenced to imprisonment for a term not exceeding three months—

those of the Meerut and Agra Divisions in the Agra Central Prison;

those of the Rohilkhand and Kumaun Divisions and of Oudh in the Lucknow Central Prison; and

those of the Allahabad, Benares and Gorakhpur Divisions in the Allahabad Central Prison.

3. All prisoners sentenced to a term of over three months will be sent to the Allahabad Central Prison.

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*See page of volume of Statutes relating to India.

EVIDENCE.

Record of—in Oudh. G. O. No. 742, dated 20th April 1883.

UNDER the provisions of section 357, Act X of 1882, His Honor the Lieutenant-Governor and Chief Commissioner is pleased to direct that, in the Province of Oudh the evidence of witnesses in every judicial proceeding shall be taken down by the Sessions Judge or Magistrate with his own hand in the English language or in his own mother-tongue, unless he is prevented by any sufficient reason from taking down the evidence of any witness, in which case he shall record the reason of his inability to do so, and shall cause the evidence to be taken down in writing from his dictation in open court.

Record of—in North-Western Provinces. Notification No. 4214/VI-398C

IN exercise of the powers conferred by section 357 of the Code of Criminal Procedure, the Lieutenant-Governor is pleased to direct, with effect from the 1st January 1895, that in proceedings before Magistrates in the North-Western Provinces whose mother-tongue is not English, the evidence of each witness shall, in the cases referred to in section 356 of the said Code, be taken down by the Magistrate with his own hand in the language of the court; or, if he holds a certificate signed by a Sessions Judge that he is sufficiently acquainted with the English language, in English: provided that if the Magistrate be prevented by any sufficient reason from taking down the evidence of any witness, he shall record the reason of his inability to do so, and shall cause the evidence to be taken down in writing from his dictation in open court.

Notification No. 4217/VI-398C

In exercise of the powers conferred by section 357 of the Code of Criminal Procedure, the Lieutenant-Governor is pleased to direct, with effect from the 1st January 1895, that in proceedings before Magistrates in the North-Western Provinces, whose mother-tongue is English and who have exercised the powers of a Magistrate of the 1st class within the North-Western Provinces and Oudh for two years, the evidence of each witness shall, in the cases referred to in section 356 of the said Code, be taken down by the Magistrate with his own hand in English: provided that if the Magistrate be prevented by any sufficient reason from taking down the evidence of any witness, he shall record the reason of his inability to do so, and shall cause the evidence to be taken down in writing from his dictation in open court.

Notification No. 4220/VI-398C dated 11th December 1894.

IN exercise of the powers conferred by section 357 of the Code of Criminal Procedure, the Lieutenant-Governor is pleased to direct, with effect from the 1st January 1895, that in proceedings before Courts of Session in the North-Western Provinces, the evidence of each witness shall, in the cases referred to in section 356 of the said Code, be taken down by the presiding Judge with his own hand in English; or, if he be not sufficiently acquainted with the English language, in the language of the court: provided that if the presiding Judge be prevented by any sufficient reason from taking down the evidence of any witness, he shall record the reason of his inability to do so, and shall cause the evidence to be taken down in writing from his dictation in open court.

EXPLOSIVES.

Rules for transport and import of explosives—
Home Department No. 1417, dated 24th June 1887.
Home Department Notification No. 1488, dated 2nd August 1890.

1. In exercise of the powers conferred by section 5 of the Indian Explosives Act, 1884, the Governor-General in Council is pleased to make the following rules to regulate the transport and importation of explosives:—

2. These rules extend to the whole of British India, but the rules relating to the transport of explosives shall cease to apply to any port as defined in the Indian Ports Act, X of 1889, for which special rules made by the Local Government are for the time being in force, in so far as they are expressly superseded by, or are inconsistent with, such special rules.

PRELIMINARY.

Section 14 of the Indian Explosives Act, IV of 1884:—

Nothing in this Act shall apply to the manufacture, possession, use, sale, transport or importation of any explosive—

(*a*) by order of the Government, or

(*b*) by any person employed under the Government in the execution of this Act, or as a keeper of a magazine, artizan, soldier, sailor, policeman or otherwise, or enrolled as a Volunteer under the Indian Volunteers Act, 1869, in the course of his employment or duty as such

1. For the purposes of these rules, explosives shall be classified as follows, namely:—

Class 1	...	Gunpowder.
„ 2	...	Nitrate-mixture
„ 3	...	Nitro-compound.
„ 4	...	Chlorate-mixture.
„ 5	...	Fulminate.
„ 6	...	Ammunition
„ 7	...	Firework.

[illegible] xplosive falls within the description of more than [illegible] ively to the latest of [illegible] falls.

CLASS 1.—*Gunpowder class.*

The term "gunpowder" means exclusively gunpowder ordinarily so called.

CLASS 2.—*Nitrate-mixture class.*

The term "nitrate-mixture" means any preparation other than gunpowder ordinarily so called, formed by the mechanical

mixture of a nitrate with any form of carbon or with any carbonaceous substance not possessed of explosive properties, whether sulphur be or be not added to such preparation, and whether such preparation be or be not mechanically mixed with any other non-explosive substance.

The nitrate-mixture class comprises such explosives as—

Pyrolithe,

Pudrolithe,

Poudre saxifragine,

and any preparation coming within the above definition.

CLASS 3.—*Nitro-compound class.*

The term "nitro-compound" means any chemical compound possessed of explosive properties, or capable of combining with metals to form an explosive compound, which is produced by the chemical action of nitric acid (whether mixed or not with sulphuric acid) or of a nitrate mixed with sulphuric acid upon any carbonaceous substance, whether such compound is mechanically mixed with other substances or not.

The nitro-compound class has two divisions—

Division 1 comprises such explosives as—

Nitro-glycerine,	Dualine,
Dynamite,	Glyoxiline,
Lithofracteur,	Methylic nitrate,

and any chemical compound or mechanically mixed preparation which consists, either wholly or partly, of nitro-glycerine or some other liquid nitro-compound.

Division 2 comprises such explosives as—

Gun-cotton, ordinarily so called.	Cotton gunpowder,
Gunpaper.	Schultz's powder,
Xyloiodine.	Nitro-mannite,
Gun sawdust.	Picrates,
Nitrated gun-cotton.	Picric powder,

Tonite (or cotton-powder),

and any nitro-compound as before defined which is not comprised in the first division.

CLASS 4.—*Chlorate mixture class.*

The term "chlorate-mixture" means any explosive containing a chlorate,

The chlorate-mixture class has two divisions:

Division 1 comprises such explosives as—

Horsley's blasting powder, Brain's blasting powder—

and any chlorate preparation which consists partly of nitro-glycerine or of some other liquid nitro-compound.

Division 2 comprises such explosives as—

Horsley's original blasting powder,	Hochstadter's blasting charges,
Erhard's powder,	Riohen's blasting charges,
Beverley's powder,	Teutonite,

Chlorated gun-cotton,

and any chlorate-mixture as before defined which is not comprised in the 1st division.

CLASS 5.—*Fulminate class.*

The term "fulminate" means any chemical compound or mechanical mixture, whether included in the foregoing classes or not, which from its great susceptibility to detonation, is [illegible] other applian- [illegible] eme sensibility [illegible] say readiness [illegible] ; .auses), is especially dangerous.

This class consists of two divisions:

Division 1 comprises such compounds as the fulminates of silver and of mercury and preparations of these substances, such as are used in percussion caps, and any preparation consisting of a mixture of a chlorate with phosphorus, or certain descriptions of phosphorus compounds, with or without the addition of carbonaceous matter, and any preparation consisting of a mixture of a chlorate with sulphur, or with a sulphurate, with or without carbonaceous matter.

Division 2 comprises such substances as the chloride and the iodide of nitrogen fulminating gold and silver, diazobenzol and the nitrate of diazobenzol.

CLASS 6.—*Ammunition class.*

The term "ammunition" means an explosive of any of the foregoing classes when enclosed in any case or contrivance, or otherwise adapted or prepared so as to form a cartridge or charge for small arms, cannon or any other weapon, or for blasting, or to form any safety or other fuse for blasting, or for shells, or to form

any tube for firing explosives, or to form a percussion-cap, a detonator, a fog-signal, a shell, a torpedo, a war-rocket, or other contrivance other than a firework.

The term "percussion-cap" does not include a detonator.

The term "detonator" means a capsule or case which is of such strength and construction, and contains an explosive of the fulminate-explosive class in such quantity that the explosion of one capsule or case will communicate the explosion to other like capsules or cases.

The term "safety fuse" means a fuse for blasting which burns and does not explode, and which does not contain its own means of ignition, and which is of such strength and construction and contains an explosive in such quantity that the burning of such fuse will not communicate laterally with other like fuses.

The expression "safety cartridges" means cartridges for small arms of which the cases can be extracted from the small-arm after firing, and which are so closed as to prevent any explosion in one cartridge being communicated to other cartridges.

The ammunition class has three divisions:

Division 1 compries exclusively—

Safety cartridges,	Railway fog-signals,
Safety fuses for blasting,	Percussion-caps.

Division 2 compiises any ammunition as before defined which does not contain its own means of ignition and is not included in division 1, such as—

Cartridges for small-arms, which are not safety cartridges,

Cartridges and charges for cannon, shells, mines, blasting, or other like purposes,

Shells and torpedoes containing any explosive,

Fuses for blasting which are not safety fuses,

Fuses for shells.

Tubes for firing explosives,

War-rockets,

which do not contain their own means of ignition.

Division 3 comprises any ammunition as before defined which contains its own means of ignition and is not included in division 1, such as—

Detonators,

Catridges for small-arms which are not safety cartridges,

Fuses for blasting which are not safety fuses,

Fuses for shells,

Tubes for firing explosives,
which do contain their own means of ignition.

By ammunition containing its own means of ignition is meant ammunition having an arrangement, whether attached to it or forming part of it, which is adapted to explode or fire the same by friction or percussion.

CLASS 7.—*Firework class.*

The term "firework" comprises firework composition and manufactured fireworks.

Division 1.—The term "firework composition" means any chemical compound or mechanically mixed preparation of an explosive or inflammable nature which is used for the purpose of making manufactured fireworks, and is not included in the former classes of explosives, and also any coloured fire composition.

Division 2.—The term "manufactured firework" means any explosive of the foregoing classes and any firework composition when such explosive or composition is enclosed in any case or contrivance, or is otherwise manufactured so as to form a squib, cracker, serpent, rocket (other than a war-rocket), maroon, star, lance, wheel, Chinese fire, Roman candle, or other article adapted for the production of pyrotechnic effects or pyrotechnic signals.

TRANSPORT.

(*a*)—*Packing.*

2. The following general rules shall be observed with respect to the packing of explosives for conveyance :—

I.—Each class of explosive shall be separately packed.

II.—An explosive, not being an explosive of the 5th (fulminate) class or of the 2nd and 3rd divisions of the 6th (ammunition) class or of the 1st division of the 7th (firework) class, shall, if not exceeding 5lbs. in quantity, be contained in a substantial case, bag, canister, or other receptacle made and closed so as to prevent the explosive from escaping.

III.—An explosive of the 1st (gunpowder) class, which is intended to be used for blasting purposes, may be carried in barrels covered with waxcloth or gunny.

IV.—In every other case the explosive shall be contained in a double package. The inner package shall be a substantial case, bag, cansister or other receptacle made and closed so as to prevent the explosive from escaping, and the outer package shall be a box, barrel, or case of wood or metal or other solid material, and

shall be of such strength, construction and character, that will not be broken or accidentally opened or become defective or insecure whilst being conveyed, and will not allow the explosive to escape: Provided as follows:—

(a) If the explosive is explosive of the 1st (or gunpowder) class or is explosive of the 2nd nitrate (mixture) class or is gun-cotton or other explosive of the 2nd division of the 3rd (nitro-compound) class, the quantity of explosive in any one outer package shall not, in the case of explosive of the first two classes, exceed 100lbs., and in the case of the last, 50lbs., and if the explosive be gun-cotton, it shall be carried thoroughly saturated with water.

(b) If the explosive belongs to the 1st division of the 3rd (nitro-compound) class or to the 4th (chlorate-mixture) class, the inner package shall be without any metal in its construction, and the inner or outer package or both shall be thoroughly waterproof. No one of the inner packages shall contain more than 10lbs., and the aggregate quantity of the explosive in any one outer package shall not exceed 50lbs.

(c) If the explosive belongs to the 5th (fulminate) class, it shall be packed in such manner as the Governor-General in Council may specially direct.

(d) If the explosive belongs to the 1st division of the 6th (ammunition) class or is an explosive of the 2nd division, an outer package shall not be required, but it may be contained in quantity not exceeding 100lbs., in a single package, which shall be a box, barrel or case, not less than ⅝ths of an inch in thickness, of such strength, construction and character, as will not be broken or accidentally opened or become defective or insecure whilst being conveyed, and will not allow the explosive to escape.

(e) If the explosive belongs to the 3rd division of the 6th (ammunition) class, it shall be packed in a double package. The inner package shall not contain more than 2lbs. of such explosive, and no more than 50lbs. shall be contained in the outer package.

(f) If the explosive belongs to the 1st division of the 7th (firework) class, it shall be contained in a double package. The inner package shall be a substantial canister, case or other receptacle hermetically closed, and containing no more than 1lb. of explosive, and no more than 20lbs. shall be contained in outer package; and

(*g*) If the explosive belongs to the 2nd division of the 7th (firework) class, it shall be contained in a box, barrel or case of wood, metal or other solid material, and of such strength, construction and character that it will not be broken or accidentally opened or become defective or insecure whilst being conveyed, and will not allow any explosive to escape, and the quantity of explosive in any one package shall not exceed 100lbs.

V.—Whatever be the amount of the explosive, and to whatever class or division of a class it belongs, the following conditions shall be observed :—

(*a*) The interior of every package, whether single or double, shall be kept free from grit and otherwise clean;

(*b*) every package, whether single or double, when actually used for the packing of explosive, shall not be used for the packing of any other explosive of the same or any other class or for any other purpose;

(*c*) there shall not be any iron or steel in the construction of any such single package or inner or outer package unless the same is effectually covered with tin, zinc, or other suitable material;

(*d*) on the outermost package there shall be affixed, in conspicuous characters, by means of a brand or securely attached label or mark, the word "Explosive," followed by the name of the explosive or other description of the contents, and the name and address of the owner or sender; and

(*e*) the amount of explosive in any single package, or, if there is a double package, in any one outer package, shall not exceed the amount specified in the foregoing rules, except with the consent of, and under conditions to be approved by, an officer appointed by the Local Government in this behalf

3. If any person commits a breach of any of the foregoing rules relating to the packing of explosives for conveyance, he shall be punished with fine, which may extend to Rs. 1,000

(*b*)—*Mode of conveyance.*

4. The following general rules shall be observed with respect to the conveyance of explosives .—

I.—No explosive shall be conveyed from place to place unless packed in the manner provided for in the foregoing rules.

(firework) class, or of larger quantities than 5lbs. of any other explosive, the following regulations shall be observed :—

(1) The person in charge of the carriage or vessel shall not drive or conduct the same in a dangerous or reckless manner, and shall take all due precautions to avoid fire and explosion, and no person shall do any act or thing in relation to the explosive which tends to cause fire or explosion, and is not reasonably necessary for the conveyance of the explosive or for work immediately connected with such conveyance; and a person who is intoxicated shall not have charge of any carriage or vessel conveying explosive, and shall not be permitted to be in, or on, or attending the same.

(2) A person shall not forward to any warehouseman or carrier a consignment of explosive, unless he has given notice to such warehouseman or carrier beforehand, stating the name and quantity of the explosive proposed to be conveyed, and the name and address of the proposed consignee, and has had an intimation that the warehouseman or carrier is prepared to receive the consignment; and a warehouseman or carrier shall not make such an intimation nor receive such consignment, unless he is prepared to receive it, and forthwith to despatch the same, or to deposit it in a magazine or at a place at which a person is licensed to possess the same.

(3) The carriage or vessel conveying the explosive shall be in charge of, and constantly attended by, some competent person, or by a sufficient number of competent persons, and such persons shall not, if the amount of explosive conveyed exceed 100lbs., stop or delay for a longer time than may be reasonably necessary, or stop unnecessarily at any place where such stopping would be attended with special public danger.

6. The following rules shall be observed with respect to the conveyance of explosives by public railway :—

I.—No person shall send for carriage upon any railway any consignment of an explosive, unless he has given to the officer in charge of the railway station previous notice in writing which, at the option of the Railway Administration, may extend to 48 hours, of his intention to send such consignment, and stating the true name, description, quantity and mode of packing of the explosive proposed to be conveyed, and his own name and address, and also the name and address of the proposed consignee, and unless he has had an intimation in writing from an authorized officer of the railway that such consignment will be received.

II.—No explosive which a Railway Administration shall, by any notice or regulation for the time being in force, notify that they will not receive, shall be brought, sent or forwarded to or upon any railway of the said Railway Administration.

III.—Consignments of explosives shall be sent to the forwarding station and shall be received by the railway servants only at such times between sunrise and sunset as the Railway Administration may appoint; and every package containing any explosive proposed to be conveyed on any railway shall immediately on arrival at the station be unloaded and placed in a safe place under the special direction of the officer in charge of the station.

IV.—An explosive must be removed by the consignee from the receiving station during the twelve hours of daylight after arrival: if this condition is not strictly complied with, the Railway Administration may return the consignment to the consignor at his risk and expense: and such packages shall in the meanwhile be kept as far away from the station buildings as possible, in the wagon they were conveyed in, or, if unloaded, shall be completely covered with tarpaulins or other suitable material, and, if necessary, shall be protected by a police guard.

V.—The Railway Administration may refuse to receive any packages which they suspect to contain any explosive packed or sent in contravention of these regulations: and in case any package which the Railway Administration suspect, shall be upon any railway, they may open, or require to be opened, any such package, to ascertain the fact, at the risk and expense of the consignor, and may return the explosive contained in the package to the consignor at his risk and expense, keeping the packages pending such return in the manner prescribed in the preceding rule.

India's No. 1191, dated 20th June 1890.

VI.—Subject to the exception provided for in clause (*c*), no explosive shall be conveyed by passenger train except of the kinds and in the manner hereinafter specified in this rule —

(*a*) Safety cartridges and percussion-caps and safety-fuse (for blasting), also fog-signals for railway use, which may be conveyed in ordinary wagons or carriages.

(*b*) Dynamite which may be carried in the form of cartridges up to the limit of 5lbs., provided that no detonators are carried in the same compartment.

(*c*) Detonators which may be carried to the number of 200, provided that in no case the amount of fulminate of mercury in the package or packages containing the detonators exceeds in the aggregate 8oz. (a certificate to this effect being given by the company, firm or

person tendering the detonators for transport or by its or his agent) : provided also that no dynamite is carried in the same compartment.

(*d*) Sporting gunpowder or non-safety cartridges packed in double cases as before, provided so long as the gunpowder is contained in one-pound tin canisters packed in a stout wooden case with an outer covering of tin or zinc completely spark-proof, or in metal-lined cases of a pattern approved by the Railway Administration. But no outer case shall contain more than 25lbs. of gunpowder, and the total consignment of gunpowder or non-safety cartridges by one train shall not exceed 80lbs.

(*e*) Explosives may be carried by mixed trains on any line on which goods trains are not running, subject to the conditions that not more than one vehicle containing explosives is forwarded at any one time by a mixed train ; that the precautions prescribed for conveyance by goods trains are observed, and that directly a wagon containing explosives arrives at a section on which goods trains are running, it is detached from the mixed train.

VII.—Not more than five carriages containing explosives shall be loaded or unloaded at any railway station, or be conveyed by any one train at any one time ; and the quantity of explosive to be contained in any one carriage shall not exceed two-thirds of the normal load, unless the carriage shall be specially built and approved of by the Government of India for the conveyance of explosives. But nothing in this clause shall be held to apply to separate consignments of small-arms ammunition.

VIII.—There shall not be conveyed in the same carriage with any explosive any lucifer or other matches, fuzees, pipe-lights, acids, naphtha, paraffine, petroleum to which the Petroleum Act or any Act repealing or amending the same applies, or any other volatile spirit or substance liable to give off an inflammable vapour or liable to spontaneous ignition, or to cause or communicate fire or explosion.

IX.—The consignor shall attach to the consignment note a certificate signed by an officer authorized by the Local Government in this behalf that explosive, if it is gun-cotton, dynamite or blasting gelatine, is of the standard purity, and has undergone no deterioration [illegible] in the case of dynamite, th[illegible] show no signs of exude[illegible]ertify that the cartridg[illegible]dance with the packing rules.

X.—In the case of dynamite the outer package shall be marked with the date on which the dynamite was packed, and be secured with a leaden seal in token of the inspection having been made.

XI.—The certificate referred to in rule IX shall be valid for six months after date, if the examination has been made between the 15th October and 31st March; but any Railway Administration which accepts dynamite for transport may demand a fresh certificate for dynamite presented for conveyance between 1st April and 15th October (both inclusive).

XII.—Packages containing dynamite shall be stowed in one layer only and secured so as to prevent movement during transit. The gross load in any one wagon shall not exceed three tons

XIII.—No explosive belonging to the 5th (fulminate) class or to class VI, division 3, shall be carried in the same train with dynamite, or with any other explosive belonging to class III, division 1.

XIV.—Wagons used for the carriage of explosives shall be examined to see that they are spark-proof, and have been cleaned out before they are loaded. Hair-cloth, hides, or other suitable material shall be spread on the floor of the wagon and between each layer of packages, except when packages are covered with gunny or felt, or contain small-arms ammunition packed in tin-lined service pattern boxes.

XV.—Wagons containing explosives shall be loaded and unloaded on sidings distant as far as possible from the station buildings.

XVI.—More than three layers of packages containing explosives shall never be packed one above another, except in the case of small-arms ammunition packed in tin-lined service-pattern boxes, when such a restriction is unnecessary. Subject to the provisions of rule 4(III), the loading and unloading of explosives when once begun shall be diligently proceeded with until the same is completed.

XVII.—When the train is being marshalled, wagons loaded with explosives may be shunted by a locomotive, provided that they are separated from the engine by not less than three wagons containing no explosive nor easily inflammable substance This precaution is not necessary with wagons specially constructed for the carriage of explosive The speed of these movements will be restricted to five miles an hour, they will be superintended by a duly authorized officer, who will be held responsible for the observance of these orders. Flying shunts are strictly prohibited

XVIII.—Wagons containing explosives shall be placed at the end of the train away from the locomotive, and shall be close-coupled to one another as well as to the adjoining wagons, and must be preceded and followed by three wagons not loaded with explosive or other traffic of an inflammable nature

If the wagons employed in the transport of explosives are provided with brakes, the brakes thereon shall on no account be worked while the wagons are running with a train, nor shall brakes other

Home Department Notification No. 12, dated 4th January 1894.

than iron brakes on vehicles immediately adjoining such wagons be worked while such wagons are so running.

XIX. [illegible] ansport of explosive, as [illegible] provided with brakes, [illegible]

XX.—Wagons must in every case be locked when loaded with explosives.

XXI.—All operations connected with the transhipment of explosives at junction stations shall take place during daylight.

7. If any person commits a breach of any of the foregoing rules relating to the mode of conveyance of explosives, he shall be punished with a fine which may extend to one thousand rupees.

IMPORTATION.

8. An explosive shall not be imported by sea into British India, except under, and in accordance with, the conditions of a license to import the explosive granted under these rules:

Provided that any explosive other than an explosive specified in rule 11 may, previous to the grant of an importation license, if certified to be of British manufacture, or if not of British manufacture, if imported from the United Kingdom and covered by the certificate granted by one of Her Majesty's Inspectors of Explosives in England, be landed in accordance with such regulations as the Local Government may prescribe in this behalf, and be stored in a place set apart by the Local Government for this purpose. The Governor-General in Council may extend this privilege to any such explosive not of British manufacture regarding which he is satisfied that it has been manufactured under adequate official supervision.

Before any explosive is landed under the proviso to this rule the consignee shall give to the Chief Customs Officer of the Port such undertaking, with or without security, as the said officer thinks sufficient, to obey, in the event of the explosive failing to satisfy the prescribed tests, such directions as to its disposal as the Local Government may see fit to prescribe.

9 If any person imports an explosive in contravention of rule 8, he shall be punished with fine which may extend to three thousand rupees.

10. An explosive shall not be imported by sea except at the ports of Calcutta, Madras, Bombay, Rangoon, Calicut, Karachi and Aden; but a license to import an explosive by sea from Rangoon into the ports of Akyab, Moulmein, Sandoway, Kyouk-Phyoo, Tavoy and Margui may be granted by the Magistrates of the districts in which these ports are respectively situated. The fee payable in respect of each such license shall be one rupee, and the license shall be in form A in the schedule hereto annexed.

11. If the explosive is gunpowder or an explosive of the 1st division of the 6th (ammunition) class or an explosive of the 7th (firework) class, the license to import the same may be granted at the ports of Calcutta, Madras, and Bombay by the Commissioner of Police, and at the ports of Rangoon, Calicut, Karachi and Aden by the District Magistrate.

12. The fee payable in respect of each such license shall be Rs. 10, but if any explosive imported under a license into a British port is exported thence to another British port named in rule 10, the necessary license for such re-import may be granted on payment of a fee of one rupee instead of Rs. 10.

Home Department No. 1190, dated 29th June 1889

13. Licenses for the importation by sea of any explosive other than those specified in rule 11 shall be granted by the Local Government or by some officer specially authorized by the Local Government in this behalf.

14. No license for the importation of any explosive of the description referred to in rule 13 shall be granted unless samples of the explosive taken, as hereinafter provided, are certified by the Chemical Examiner, or some other officer appointed by the Local Government in this behalf, to pass the test which may from time to time be prescribed for such explosive by the Government of India.

15. On the arrival in any port at which importation of explo- [illegible] an [illegible] as [illegible] as may be, proceed on board and obtain samples of the explosive.

The master of the ship shall give to the said officer, without charge, such samples as he may require. The said officer shall affix [illegible] the ship and of the consignee and [illegible] as he may think necessary, and [illegible] Chemical Examiner or officer as aforesaid for report.

The Chemical Examiner or officer as aforesaid, after testing the [illegible]

15A. Explosives other than those referred to in rule 11, which have already undergone the test prescribed by rules 14 and 15 at the ports of Calcutta, Madras, Bombay, Rangoon Calicut, Karachi or Aden, may be re-imported by sea into any other of those ports under a license granted under rule 13, without re-testing, but subject, in the case of such explosives as are mentioned in rule 6, clause IX, to the production of the certificate prescribed in that clause.

Home Department No. 427, dated 10th February 1892.

Such certificate should be valid for six months after date if the examination has been made between the 15th October and 31st March; but in the case of dynamite, a fresh certificate may be demanded if the consignment is imported between the 1st April and 15th October (both inclusive).

16. The period for which a license to import an explosive, granted under rule 13, shall continue in force shall not exceed such period as may seem necessary to the authority granting the license.

Home Department Notification No. 1190, dated 29th June 1889.

17. The fee payable on a license granted under rule 13 shall be Rs. 10, but if an explosive is imported under a license into a British port and is exported thence to another British port named in rule 10, the necessary license for such re-import may be granted on payment of a fee of one rupee instead of Rs. 10.

18. Every license granted under rules 11 and 13 shall be in form A in the schedule hereto annexed, and shall be subject to the conditions therein prescribed, and also to such additional conditions with respect to the time and place of unloading, landing, delivery and conveyance of the explosive, and such other conditions as may in each case be thought by the licensing officer to be necessary for the public safety or in the interests of the state.

19. If any person commits a breach of any condition subject to which a license under rules 11 and 13 is granted, he shall be punished with fine which may extend to three thousand rupees

GENERAL

20. Every license granted under these rules shall be liable to be forfeited on breach of any of the conditions subject to which it is granted.

21. If a person licensed to import an explosive dies or becomes bankrupt, or becomes mentally incapable or otherwise disabled, the person carrying on the business of such licensee shall not be liable to any penalty or forefeiture under the Act or the rules made thereunder for acting under the license during such reasonable time as may be necessary to allow him to make an application to the authority granting the license for a new license in his own name during the currency of the unexpired portion of the original license. Such new license shall be granted on the payment of one rupee.

22. The fees leviable under these rules shall be taken in the shape of "impressed stamps" Ordinarily the applications for license or renewals of licenses, shall, if not otherwise provided, be written on "impressed stamps" of value equal to the amount of fee leviable in respect of such licenses or renewals, the licenses themselves being issued on plain paper. But when the licenses themselves are written or printed on impressed stamps, the application may be on plain paper. When an application for license is written on an impressed stamp and the license is refused, the value of the stamp will, on application, be refunded to the applicant.

23. When a license granted in accordance with these rules is lost, or accidentally destroyed, a duplicate may be granted to the licensee on payment of a fee of eight annas.

24. Any person holding a license, or acting under a license, granted in accordance with these rules, shall be bound to produce the same when called upon to do so by any Magistrate, or by any police officer in charge of a police station, or by any police officer of higher rank.

25. All Magistrates or other authorities acting under these rules will perform their duties, subject to the control of their executive superiors and of the Local Government.

26. Any authority empowered to grant a license under the foregoing rules may, if he thinks fit, direct by an order written on the license that it shall have the effect of a like license under the Indian Arms Act, 1878.

27. Any persons lawfully entitled under the Indian Arms Act, 1878, or the rules made thereunder, to possess any explosive coming under the head of ammunition as defined in that Act, may possess or import without license under these rules any such explosive in reasonable quantities for his own private use: but when an explosive is so imported, the Collector of Customs or any other officer empowered by the Local Government in this behalf by name or by virtue of his office, may at any time detain such explosive until he receives the orders of the Local Government thereon.

Form A.

(*See rules* 11, 13 *and* 18.)

FEE, TEN RUPEES IN STAMPS.

License to import explosives into the port of ————

Name, &c., and address of license-holder.	Number of packages.	Explosive			Purpose for which required	Destination	Period for which the license is valid.
		Description.	Weight	Number			
							From the ——th of ——to the —— ——th of —— ——189 .

(Signature.)

————— of —————

—————
The —— of ——
—————
. 189 .

(Seal.)

Conditions.

1. This license is given subject to the provisions of "The Indian Explosives Act, 1884," and the rules framed thereunder.

2. This license becomes void after expiry of the period named thereon.

3. This license is valid for importation only: if the articles named herein are to be transported to any place outside the presidency town, they must be protected by a transport license, to be issued in accordance with the rules framed under the Indian Arms Act, 1878.

4. On the outside of each package there shall be affixed in conspicuous characters by means of a brand or securely attached label or mark the word "Explosive," followed by the name of the explosive or other description of the contents, and the name and address of the owners or senders.

Testing of Explosives. India's No. 1418, dated 24th June 1887.

WITH reference to rule 14* of the rules to regulate the transport and importation of explosives, published with Home Department Notification No. 1417, dated the 24th June 1887, the Governor-General in Council is pleased to make the following rule on the subject of the tests which certain explosives shall be required to pass before their importation is permitted:—

Rule.

The following explosives and none others shall be liable to be tested under these rules:—

(1) All nitro-compounds included in class III, division 1.

(2) Nitro-compounds containing gun-cotton included in class III, division 2.

(3) Chlorate-mixtures containing nitro-glycerine included in class IV, division 2.

2. To nitro-compound mixtures included in class III, division 1, except methylic nitrate, the following tests are applicable:—

(a) heat test for nitro-glycerine contained in dynamite and analogous nitro-glycerine preparation;

(b) heat test for nitro-glycerine preparations;

(c) heat test for blasting gelatine and gelatine dynamite;

(d) test for liquefaction of blasting gelatine and gelatine dynamite;

(e) test for liability to exudation of blasting gelatine and gelatine dynamite

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* See page 113 *ante*.

3. To those nitro-compound mixtures included in class III, division 2, which contain gun-cotton, the heat test for nitro-glycerine preparations in clause (*b*) of the preceding paragraph is applicable.

4. To those chlorate-mixtures contained in class IV, division 2, which contain nitro-glycerine, one or more of the five tests contained in paragraph 2 above are applicable, but the precise test or tests to be applied shall be regulated by the composition of the explosive.

5. The tests specified above shall be applied in the following manner:

HEAT TEST FOR NITRO-GLYCERINE CONTAINED IN DYNAMITE AND ANALOGOUS NITRO-GLYCERINE PREPARATIONS.

Apparatus required.

1. Test tubes from 5½ inches to 5¾ inches long, and of such diameter that they will hold from 20 to 22 cubic centimetres of water when filled to a height of 5 inches.

2. The test-tubes to be fitted with perforated corks, which should be conical so as to fit all the tubes equally well The perforations hold glass rods provided with a hook of glass or platinum to hold the test-paper.

3. The heating apparatus, as prescribed with the original Government heat test.* This apparatus is described at page 112 of the Report of the Special Committee on Gun-cotton, 1871 to 1874.

Materials required.

(*a*). *Test-paper.*—The test-paper is prepared as follows:—45 grains of white starch, previously washed with cold water, are added to 8½ ounces of distilled water, the mixture is stirred, heated to boiling, and kept gently boiling for 10 minutes, 15 grains of pure potassium iodide (*i.e.*, which has been re-crystallized from alcohol) are dissolved in 8½ ounces of distilled water. The two solutions are thoroughly mixed and allowed to get cold Strips or sheets of white English filter paper, previously washed with water and re-dried, are dipped into the solution thus prepared, and allowed to remain in it for not less than 10 seconds; they are then allowed to drain and dry in a place free from laboratory fumes and dust. The upper and lower margins of the strips or sheets are cut off, and the paper is preserved in well stoppered or corked bottles and in the dark. The dimensions of the pieces of test-paper used are about $\frac{4}{10}$ths inch by $\frac{8}{10}$ths inch (10 mm. by 20 mm.).

*A globe of copper or other suitable material may be used instead of the glass globe, and any efficient gas regulator, such as a Page's regulator, may be substituted in place of Scheibler's regulator.

(*b*.) *Standard tint-paper.*—A solution of caramel in water is made of such concentration that, when diluted one hundred times (10 cc. made up to 1 litre), the tint of this diluted solution equals the tint produced by the Nessler test in 100 cc. water containing 0·000075 grm. of ammonia or 0·00023505 grm. of chloride of ammonium. With this caramel solution lines are drawn on strips of white filter paper* by means of a clean quill-pen. When the marks thus produced are dry, the paper is cut into pieces of the same size as the test-paper previously described in such a way that each piece has a brown line across it near the middle of its length, and only such strips are preserved in which the brown line has a breadth varying from $\frac{1}{2}$ mm. to 1 mm. ($\frac{1}{50}$th of an inch to $\frac{1}{25}$th of an inch).

Preparation of the sample to be tested.



a. Apparatus required.—A wide-mouthed bottle (*a*) of about 6 oz. capacity, to which is fitted an india-rubber stopper (*b*) having two perforations. Through one of these passes the bent tube (*c*), through the other the filtering tube (*d*). The latter should have sufficient capacity to hold about 500 grains of dynamite. Within the bottle is placed a small test-tube (*e*) to receive the nitro-glycerine filtering through (*d*).

b. Mode of operation.—About 400 grains of dynamite, finely divided, are placed into the filtering tube (*d*) (small piece of cottonwool having previously been pushed into the contracted part of the tube) and made to fill it as evenly as possible by shaking and tapping; the upper surface is smoothed by gently pressing with a wooden rammer.

Water is then poured on the top of the dynamite and allowed to sink into it by its own weight until a sufficient quantity of nitro-glycerine has been displaced. The bent tube (*c*) may then be connected with the filtering pump or other means of reducing the pressure in the bottle, the displacement of the nitro-glycerine being thus accelerated.

* This paper must be carefully washed with distilled water in the first instance to remove any traces of bleaching matter, and dried.

The nitro-glycerine collects in the tube (*e*), and the operation is stopped before the water reaches the narrow part of the filtering tube.

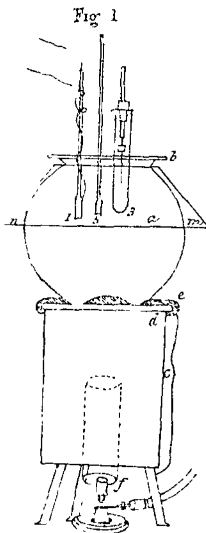
If any water should have passed through with the nitro-glycerine, it should be removed with a piece of blotting paper and the nitro-glycerine, if necessary, filtered through a dry paper filter.

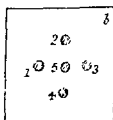
Application of the test.

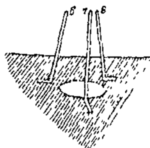
The thermometer is fixed so as to be inserted through the lid of the glass globe into the water (which is to be steadily maintained at a temperature of 160° F.) to a depth of 2⅝ inches · 50 grains of nitro-glycerine to be tested are weighed into a test-tube in such a way as not to soil the sides of the tube. A test-paper is fixed on the hook of the glass rod, so that when inserted into the tube it will be in a vertical position. A sufficient amount of a mixture of half distilled water and half glycerine is now applied to the upper edge of the test-paper by means of a camel's-hair pencil to [illegible] half of the paper, the cork carrying the rod and [illegible] of the paper [illegible] vn the tube: [illegible] ations of the cover to such a depth that the lower edge of the test-paper is just above the surface of the cover. The test is complete when the faint brown line which after a time makes its appearance at the line of boundary between the dry and moist part of the paper equals in tint the brown line of the standard tint-paper.

The nitro-glycerine under examination will be considered as "thoroughly purified" within the terms of the license, whenever the time necessary to produce the standard tint as above described *is not less* than 15 minutes.

HEAT TEST FOR NITRO-GLYCERINE PREPARATIONS.









Apparatus required.—1. A spherical glass vessel (Fig. I about 8 inches diameter (*a*), filled with water to within a quarter of an inch of the edge, having a loose cover of sheet tin or copper about 7 inches square (*b*), rests on a tripod stand about 14 inches high (*c*), covered with coarse iron-wire gauze (*e*), and surrounded with a screen of thin sheet copper (*d*). Within this is placed an argand burner (*f*) with glass chimney. Over the glass globe is placed a common green paper lamp (shade *m*, *n*). The cover (*b*) has five holes arranged as seen in Fig. II; No. 5 to receive the

thermometer; No. 1 the regulator; No. 4, a small funnel; and Nos. 2 and 3, test-tubes containing the gun-cotton to be tested. Around holes 2 and 3, on the underside of the cover, are soldered three pieces of the brass wire with points slightly converging (Fig. III turned upside down); these acting as springs, allow the test tubes to be easily placed in position and removed.

2. Scheibler's temperature regulator.

3. Two cells of Le Clanche's battery No. I.

4. A few yards of insulated copper-wire.

5. Test-tubes about ⅝ inch diameter, and not less than 5 inches long.

6 Glass-rod with a flat head—of sufficient length to reach to the bottom of test-tubes.

7. Corks, fitting the test-tubes and carrying an arrangement for holding the test-paper (a thin glass tube passing through the centre of the cork, drawn out and terminating in a platinum wire hook, Fig. IV).

8. A thermometer with range not less than from 30° to 212° Fahrenheit.

9. A minute clock.

Materials required.—The *test-paper* is prepared as follows:—45 grains of white starch are added to 8½ ounces of water, and the mixture is stirred and heated to boiling, 15 grains of iodide of potassium are dissolved in 8½ ounces of water The two solutions are thoroughly mixed together. Strips or sheets of white Swedish filter paper are dipped in the solution thus prepared, they are then allowed to drain and dry. The dimensions of the pieces of test-paper used are about ⅓ inch by ⅔ inch The paper should be preserved in a well-stoppered or corked bottle.

Preparation of samples for testing.—Half a cartridge of the material (or about 500 grains if it is not supplied in the form of cartridges) is thoroughly rubbed up together, so as to furnish a very uniform sample. If the material is frozen it should first be thawed.

Application of the test.—The thermometer is fixed so as to be inserted through the lid of the glass globe into the water (which is to be steadily maintained at a temperature of 160° Fahrenheit to a depth of 2¾ inches). Fifty grains of the samples to be tested are inserted into the test-tube and gently pressed down to the bottom with a flat-headed glass rod. The test-tube is then inserted through the perforation in the cover, and is immersed in the hot water to the depth of 2¼ inches, the tube being closed with a

loosely-fitting cork. A test-paper is fixed on the lower *extremity* of the glass rod, so that, when inserted into the tube it will be in a vertical position. A drop of distilled water, containing 10 per cent. of pure glycerine, is applied to the upper edge of the test-paper, the quantity used being only sufficient to moisten about *half* of the paper; the first cork is then taken out of the test-tube and replaced by the cork holding the glass rod and test-paper, keeping the test-paper as near the top of the test-tube as possible until the tube has been immersed for about five or six minutes A ring of moisture will about this time be deposited in the test-tube a little above the cover of the bath; the glass rod must then be lowered until the lower margin of the moistened part of the paper is on a level with the bottom of the ring of moisture in the tube; the paper is now closely watched. The test is complete when a very faint brown coloration makes its appearance at the line of boundary between the dry and moist part of the paper. The interval of time between the first insertion of the tube containing the sample in the water at 160° and the first appearance of discoloration on the paper constitutes the test.

HEAT TEST FOR BLASTING GELATINE AND GELATINE DYNAMITE.

Fifty grains of blasting gelatine are to be intimately incorporated with one hundred grains of French chalk. The mixture is to be gradually introduced into a test-tube of the dimensions prescribed in the dynamite heat-test, with the aid of gentle tapping upon the table between the introduction of successive portions of the mixture into the tube: so that, when the tube contains all the mixture, it shall be filled to the extent of 1¾ inches (one inch and three-quarters) of its height. The test-paper is then to be inserted, and the heat is to be applied in the manner prescribed for the dynamite heat test, and the sample tested is to withstand exposure to 160° Fahrenheit for a period of ten minutes before producing a discoloration of the test-papers corresponding in tint to the standard colour test which is employed for governing the results of the dynamite heat test.

TEST FOR LIQUEFACTION OF BLASTING GELATINE AND GELATINE DYNAMITE.

A cylinder of blasting gelatine to be cut from the cartridge to be tested; the length of the cylinder to be about equal to its diameter, and the ends being cut flat.

The cylinder is to be placed on end on a flat surface without any wrapper, and secured by a pin passing vertically through its centre.

In this condition the cylinder is to be exposed for one hundred and forty-four consecutive hours (six days) to a temperature ranging

ing from 85° to 90° Fahrenheit (inclusive), and during such exposure the cylinder shall not diminish in length by more than one-fourth, and the upper cut surface shall retain its flatness and the sharpness of its edge.

Note.—If the blasting gelatine, and gelatine dynamite to be tested be not made up in a cylindrical form, the above test is to be applied with the necessary modifications.

TEST FOR LIABILITY TO EXUDATION OF BLASTING GELATINE AND GELATINE DYNAMITE.

There shall be no separation from the general mass of the blasting gelatine or gelatine dynamite of a substance of less consistency than the bulk of the remaining portion of the material under any conditions of storage, transport or use, or when the material is subjected three times in succession to alternate freezing and thawing, or when subjected to the liquefaction test hereinbefore described.

Rules for manufacture, possession and sale of— G. O. No. $\frac{1418}{VI-60D}$, dated 27th June 1889.

UNDER section 5 (1) of Act IV of 1884 (The Indian Explosives Act) the Hon'ble the Lieutenant-Governor and Chief Commissioner, with the sanction of His Excellency the Governor-General in Council, is pleased to issue the following rules for the manufacture, possession and sale of explosives within the North-Western Provinces and Oudh :—

Rules for the manufacture, possession and sale of explosives under section 5(1) of the Indian Explosives Act, IV of 1884.

PRELIMINARY.

1.—For the purposes of these rules explosives shall be classified as in Home Department No. 1417, dated 24th June 1887, printed at page 99 *ante*

MANUFACTURE, POSSESSION AND SALE.

(a).—*General Rules.*

2.—An explosive shall not be manufactured except under and in accordance with the conditions of a license to manufacture the explosive granted under these rules.

Nothing in this rule shall apply—

(a) to the making of a small quantity of an explosive for the purpose of chemical experiment and not for practical use or for sale; or

(b) to the filling for private use, and not for sale, of any safety cartridges to the amount allowed by these rules to be possessed for private use.

loosely-fitting cork. A test-paper is fixed on the lower extremity of the glass rod, so that, when inserted into the tube it will be in a vertical position. A drop of distilled water, containing 10 per cent. of pure glycerine, is applied to the upper edge of the test-paper, the quantity used being only sufficient to moisten about *half* of the paper; the first cork is then taken out of the test-tube and replaced by the cork holding the glass rod and test-paper, keeping the test-paper as near the top of the test-tube as possible until the tube has been immersed for about five or six minutes. A ring of moisture will about this time be deposited in the test-tube a little above the cover of the bath; the glass rod must then be lowered until the lower margin of the moistened part of the paper is on a level with the bottom of the ring of moisture in the tube; the paper is now closely watched. The test is complete when a very faint brown coloration makes its appearance at the line of boundary between the dry and moist part of the paper. The interval of time between the first insertion of the tube containing the sample in the water at 160° and the first appearance of discoloration on the paper constitutes the test.

HEAT TEST FOR BLASTING GELATINE AND GELATINE DYNAMITE.

Fifty grains of blasting gelatine are to be intimately incorporated with one hundred grains of French chalk. The mixture is to be gradually introduced into a test-tube of the dimensions prescribed in the dynamite heat-test, with the aid of gentle tapping upon the table between the introduction of successive portions of the mixture into the tube, so that, when the tube contains all the mixture, it shall be filled to the extent of 1¾ inches (one inch and three-quarters) of its height. The test-paper is then to be inserted, and the heat is to be applied in the manner prescribed for the dynamite heat test, and the sample tested is to withstand exposure to 160° Fahrenheit for a period of ten minutes before producing a discoloration of the test-papers corresponding in tint to the standard colour test which is employed for governing the results of the dynamite heat test.

TEST FOR LIQUEFACTION OF BLASTING GELATINE AND GELATINE DYNAMITE.

A cylinder of blasting gelatine to be cut from the cartridge to be tested; the length of the cylinder to be about equal to its diameter, and the ends being cut flat.

The cylinder is to be placed on end on a flat surface without any wrapper, and secured by a pin passing vertically through its centre.

In this condition the cylinder is to be exposed for one hundred and forty-four consecutive hours (six days) to a temperature rang-

ing from 85° to 90° Fahrenheit (inclusive), and during such exposure the cylinder shall not diminish in length by more than one-fourth, and the upper cut surface shall retain its flatness and the sharpness of its edge.

Note.—If the blasting gelatine, and gelatine dynamite to be tested be not made up in a cylindrical form, the above test is to be applied with the necessary modifications

TEST FOR LIABILITY TO EXUDATION OF BLASTING GELATINE AND GELATINE DYNAMITE.

There shall be no separation from the general mass of the blasting gelatine or gelatine dynamite of a substance of less consistency than the bulk of the remaining portion of the material under any conditions of storage, transport or use, or when the material is subjected three times in succession to alternate freezing and thawing, or when subjected to the liquefaction test hereinbefore described.

UNDER section 5(1) of Act IV of 1884 (The Indian Explosives Act) the Hon'ble the Lieutenant-Governor and Chief Commissioner, with the sanction of His Excellency the Governor-General in Council, is pleased to issue the following rules for the manufacture, possession and sale of explosives within the North-Western Provinces and Oudh :—

Rules for manufacture, possession and sale of—G. O No. 1418/VI—60B, dated 27th June 1889.

Rules for the manufacture, possession and sale of explosives under section 5(1) *of the Indian Explosives Act, IV of* 1884.

PRELIMINARY.

1.—For the purposes of these rules explosives shall be classified as in Home Department No. 1417, dated 24th June 1887, printed at page 99 *ante*.

MANUFACTURE, POSSESSION AND SALE

(*a*).—*General Rules.*

2.—An explosive shall not be manufactured except under and in accordance with the conditions of a license to manufacture the explosive granted under these rules.

Nothing in this rule shall apply—

(*a*) to the making of a small quantity of an explosive for the purpose of chemical experiment and not for practical use or for sale ; or

(*b*) to the filling for private use, and not for sale, of any safety cartridges to the amount allowed by these rules to be possessed for private use.

3.—If any person manufactures an explosive in contravention of rule 2, he shall be punished with fine which may extend to three thousand rupees.

4.—An explosive shall not be possessed except under and in accordance with the conditions of a license to possess the explosive granted under these rules.

Provided that this rule shall not apply—

(1) to a person possessing for his private use and not for sale—

(*a*) gunpowder to an amount not exceeding on the same premises 30lbs., or in lieu of the said quantity of gunpowder 15lbs. of any other explosive, or in lieu of any less amount of gunpowder not so possessed, half that amount of other explosive; or

(*b*) gunpowder contained in safety cartridges to an amount not exceeding 150lbs. or in lieu thereof 150lbs. of any explosive contained in ammunition of the 1st division of class 6, or in lieu of any less amount of gunpowder not so possessed, that amount of any explosive so contained.

Exception.—Nothing in the foregoing portion of the proviso to this rule shall be held to authorize the possession for private use—

(*a*) of any explosive of the 5th (fulminate) class; or

(*b*) of any explosive whereof the possession has been prohibited absolutely by notification under section 6 of the Act; or

(*c*) where the possession of an explosive has by notification under that section been prohibited, subject to conditions, of any such explosive except subject to those conditions.

(2) to the possession of an unlimited quantity of fireworks if obtained and intended for immediate use and not for sale, and if kept for a period not exceeding 14 days in a safe and suitable place, and with all due precautions for the public safety;

(3) to the possession of any explosive by a person licensed to manufacture the explosive;

(4) to the possession of any explosive by a carrier or other person for the purpose of transport when the same is being kept or transported in accordance with the provisions of the rules made under the Act with respect to the transport of such explosive.

5.—If any person possesses an explosive in contravention of rule 4, he shall be punished with fine which may extend to one thousand rupees.

6.—An explosive shall not be sold except under and in accordance with the conditions of a license to sell the explosive granted under these rules: provided that this rule shall not apply to any person selling any explosive which for his own private use he lawfully possesses to any person who is not legally prohibited from possessing the same.

7.—If any person sells an explosive in contravention of rule 6 he shall be punished with fine which may extend to five hundred rupees.

(b)—Licensing of the manufacture, possession and sale of gunpowder and certain explosives.

8.—Licenses to manufacture, possess and sell, or to possess and sell, or to possess an explosive of the 1st (gunpowder) class or of the 1st division of the 6th (ammunition) class or of the 7th (fire- [illegible] rrency of the license, [illegible] ensing officer, may be [illegible] that nothing in any [illegible] nse-holder to keep at [illegible] se applies more than [illegible] tained in ammunition [illegible] class, and 200lbs. of fireworks, or any such less quantity of any of these explosives as the licensing officer may direct in this behalf.

9.—The following fees shall be paid for every license granted under the last foregoing rule (subject to the proviso that for an ordinary firework license granted in form A-1 of the schedule, a fee of 8 annas only shall be payable) :—

G. O. No. 2076, VI—808, dated 29th August 1889.

(1) a fee of twenty rupees for every license to manufacture, possess and sell the maximum quantity of explosive mentioned in the preceding rule, or any less quantity ;

(2) a fee of ten rupees for every license to manufacture, possess and sell half the quantity of explosive mentioned in the preceding rule, or any less quantity ,

(3) a fee of five rupees for every license to manufacture, possess and sell a fourth of the quantity of explosive mentioned in the preceding rule, or any less quantity .

(4) a fee of ten rupees to possess and sell the maximum quantity of explosive mentioned in the preceding rule, or any less quantity ;

(5) a fee of five rupees to possess and sell half the quantity of explosive mentioned in the preceding rule, or any less quantity ;

(6) a fee of two rupees eight annas to possess and sell a fourth of the quantity of explosive mentioned in the preceding rule, or any less quantity ; and

(7) a fee of eight annas for every license to possess explosive

10. Every license granted under rule 8 shall be in form A, B, C or A-I in the schedule hereto annexed, as the case may be, and shall be subject to the conditions prescribed therein.

11.—If any person commits a breach of any condition subject to which a license under rule 8 is granted, he shall be punished with fine which may extend to five hundred rupees.

(c)—Licensing of the manufacture of other explosives.

12.—Licenses to manufacture explosives other than those referred to in rule 8 shall be granted by the Governor-General in Council on payment of such fees in such form for such term and subject to such conditions as the Governor-General in Council may in each case prescribe provided that the Governor-General in Council shall, in the case of any such license, prescribe all the conditions which are hereinafter prescribed for licenses to possess an explosive of the same description and quantity as the manufacturing license is to cover.

13.—If any person commits a breach of any condition subject to which a license under rule 12 is granted, he shall be punished with fine which may extend to three thousand rupees.

(d)—Licensing of the possession of small quantities of other explosives.

14.—Licenses for the possession at such places as shall be approved by the licensing officer of explosives other than those specified in rule 8, shall, if the explosive is not one of the 5th (fulminate) class, and if the quantity to be possessed at the same time does not exceed 60lbs., be granted by the District Magistrate.

15.—Every license granted under rule 14 shall be in form D in the schedule hereto annexed, and shall be subject to the conditions prescribed therein. A fee of five rupees shall be paid for every such license.

16.—If any person commits a breach of any condition subject to which a license under rule 14 is granted, he shall be punished with fine which may extend to one thousand rupees.

(c)—Licensing of the possession of explosives generally.

17.—Licenses for the poss·ssion of explosives generally shall, if the explosive is not one of the 5th (fulminate) class, be granted by the Local Government in accordance with the following procedure .—

(1) T[illegible] District Magistrate an[illegible]nied by a plan (drawn [illegible] is proposed to keep the explosive (herein referred to as the magazine) and the site thereof

(2) The application shall specify such of the following matters as are applicable, namely—

(a) the boundaries of the land forming the site of the magazine, and either any belt of land surrounding the site which is to be kept clear and the buildings and works from which it is to be kept clear, or the distances to be maintained between the magazine or any part thereof, and other buildings and works ;

(b) the situation, character and construction of all the mounds, buildings and works on or connected with the magazine and the distances thereof from each other ; [illegible]

(c) the amount of explosive and of ingredients thereof wholly or partly mixed to be allowed at the same time within the boundaries of the magazine , and

(d) any especial terms which the applicant may propose by reason of any special circumstances arising from the locality, the situation or construction of any buildings or works, or the nature of any process or otherwise.

(3) Upon receipt of the said application—

(a) The District Magistrate shall thereupon cause notice to be published of the application, and fix a date on which any persons shall be heard objecting to the establishment of a magazine on the proposed site who have not less than seven clear days before the day of hearing sent to the said District Magistrate and to the applicant notice of their intention to appear and object, with their name, address and calling, and a short statement of the grounds of their objection.

(b) Where the site of the proposed magazine is situate within, or within one mile of, the limits of the jurisdiction of any municipality, the applicant shall serve on such authority notice of the application and of the date of hearing by the District Magistrate.

(c) The said notices shall be published and served at the cost of the applicant by the District Magistrate not less than one month before the date of hearing.

(d) The District Magistrate shall fix the date of hearing as soon as practicable after application is made to him, and the time so fixed shall be as soon as practicable after the expiration of the said month from the publication and service of the notices by the applicant.

(e) On consideration of the application, and on making such inquiry as may be deemed necessary, the District Magistrate may dissent altogether from the establishment of such new magazine on the proposed site, or assent thereto, either absolutely, or on any conditions requiring additional restrictions or precautions.

(f) On the completion of the inquiry the District Magistrate shall forward the application, with his recommendation, to the Local Government. The Local Government may thereupon either grant the license applied for either in accordance with the recommendation of the District Magistrate or with the addition of any additional restrictions and precautions as may be deemed proper, or the Local Government may refuse such license.

(g) If the Local Government grant a license, it shall forward the same to the District Magistrate, who, when satisfied that the magazine is sufficiently completed according to the license to justify the use thereof, shall confirm the license: but until so confirmed, the license shall not come into force.

18.—A fee of twenty rupees shall be paid for every license granted under rule 17.

19.—Every license granted under rule 17 shall be in form E in the schedule hereto annexed, and shall be subject to the conditions prescribed therein.

20.—If any person commits a breach of any condition subject to which a license under rule 17 is granted, he shall be punished with fine which may extend to one thousand rupees.

21.—Licenses for the possession of explosives of the 5th (fulminate) class shall be granted by the Governor-General in Council on payment of such fees and in such form and subject to such conditions as he may in each case prescribe.

22.—If any person commits a breach of any condition subject to which a license is granted under rule 21, he shall be punished with fine which may extend to one thousand rupees.

(f).—Licensing of the sale of other explosives.

23.—License for the sale of explosives other than those referred to in rule 8 may be granted by the District Magistrate to any person licensed to possess the same.

24.—A fee of five rupees shall be paid for every license granted under rule 23.

25.—Every license granted under rule 23 shall be in form F in the schedule hereto annexed, and shall be subject to the conditions therein prescribed.

26.—If any person commits a breach of any condition subject to which a license under rule 23 is granted, he shall be punished with fine which may extend to five hundred rupees.

(g).—Supplementary.

27.—The District Magistrate, or any Subordinate Magistrate deputed in that behalf by the District Magistrate or any Police officer not below the rank of Inspector deputed in that behalf by the District Magistrate, may enter and inspect and examine any place in which an explosive is manufactured, possessed or sold by a person licensed in this behalf under these rules.

28.—A person licensed to possess an explosive shall not be required to take out a license for the manufacture of the explosive by reason that, in a room or workshop in connection with the magazine, or place in which he is licensed to possess the explosive, he, by filling cartridges, making charges, drying, sifting, fitting or otherwise adapts or prepares the explosive for the keeping of which he is licensed, for use, sale or otherwise : provided that he observes the following rules :—

(1) There shall not be in the workshop in which such filling, adaptation or preparation is carried on more than 50lbs. of gunpowder, or in lieu of such gunpowder or of a less amount thereof, not so present, half that amount of other explosive.

(2) Any work unconnected with such filling, adaptation or preparation shall not be carried on in the said room or workshop while such filling, adaptation or preparation is being carried on.

(3) The said room or workshop shall be detached from the magazine or place in which the licensee is licensed to possess the explosive and at a safe distance therefrom.

(4) An explosive of one description shall not be converted into an explosive of another description, and shall not be unmade or resolved into its ingredients.

GENERAL.

1.—Every license granted under these rules shall be liable to be forfeited on breach of any of the conditions subject to which it is granted.

2.—If a person licensed to manufacture, possess or sell an explosive dies or becomes bankrupt, or becomes mentally incapable or otherwise disabled, the person carrying on the business of such licensee shall not be liable to any penalty or forfeiture under the Act or the rules made thereunder for carrying on the business or acting under the license during such reasonable time as may be necessary to allow him to make an application to the authority granting the license for a new license in his own name during the currency of the unexpired portion of the original license. Such new license shall be granted on the payment of one rupee.

3.—The fees leviable under these rules shall be taken in the shape of "impressed stamps" Ordinarily the applications for licenses or renewals of license shall, if not otherwise provided, be written on "impressed stamps" of value equal to the amount of fee leviable in respect of such licenses or renewals, the licenses themselves being issued on plain paper. But when the licenses themselves are written or printed on impressed stamps, the application may be on plain paper. When an application for a license is written on an impressed stamp and the license is refused, the value of the stamp will, on application, be refunded to the applicant.

4.—All licenses except licenses to manufacture an explosive under rule 12 or to possess explosives of the 5th (fulminate) class under rule 21, shall expire on the 31st December of the year for which they are granted Licenses granted under rules 12 and 21 shall be current for the term therein specified. But the currency of a license may, unless the circumstances have so changed that the grant of a new license would either not be authorized under the Act and rules or is deemed objectionable by the licensing authorities, on application previous to its expiration, be renewed on payment of the original fee.

5.—When a license granted in accordance with these rules is lost or accidentally destroyed, a duplicate may be granted to the licensee on payment of a fee of eight annas.

6.—Any person holding a license, or acting under a license granted in accordance with these rules, shall be bound to produce the same when called upon to do so by any Magistrate, or by any police officer in charge of a police station, or by any police officer of higher rank.

7.—All Magistrates or other authorities acting under these rules will perform their duties subject to the control of their executive superiors and of the Local Government.

8.—Any authority empowered to grant a license under the foregoing rules may, if he thinks fit, direct by an order written on the license that it shall have the effect of a like license under the Indian Arms Act, 1878.

9.—Any persons lawfully entitled under the Indian Arms Act, 1878, or the rules made thereunder, to possess any explosive coming under the head of ammunition as defined in that Act may possess, without license under these rules, any such explosive in reasonable quantities for his own private use.

SCHEDULE.

Form A.

(See rule 8)

FEE, AS IN RULE 9(1), (2) AND (3).

License to manufacture, sell and possess gunpowder or an explosive of the 1st division of the 6th (ammunition) class.

Name, &c., of license-holder, and place of residence.	Place of business, factory or shop.	Description and quantity to be manufactured during the year.	Description and quantity to be possessed and sold during the year.	Date on which license expires.
				The 31st of December 189 .

________ *District* ;
________ 189 .

(Seal.)

(Signature.)
________ of ________

Conditions.

1.—This license is given subject to the provisions of "The Indian Explosives Act, 1884," and the rules framed thereunder.

2.—The license-holder shall keep records and accounts of all explosives manufactured, of all stock in hand, and of all sales, in such form as the Local Government may from time to time direct.

3.—The license-holder shall exhibit his stock and his books of manufacture and sales to any Magistrate or to any police officer not below the rank of Inspector, when such officer may call upon him so to do.

4.—The explosive shall be manufactured in a substantially constructed building exclusively appropriated for the purpose and detached from a dwelling-house.

5.—All sales of explosives under this license must be effected upon the premises shown on the face of the license.

6.—An explosive shall not be sold to any child apparently under the age of 13 years.

7.—The explosive possessed by the licensee shall be kept in such a building as is referred to in condition 4: provided that a quantity not exceeding 50lbs. of gunpowder, or in lieu of each pound of gunpowder not so kept, 2lbs. of explosive contained in ammunition of the 1st division of class 6 may be kept inside a dwelling-house or in any building other than as last aforesaid, in a receptacle exclusively appropriated to keeping explosives.

*8.—The license holder shall affix to his shop or place of business a signboard as required by rule 11 of the rules framed under the Indian Arms Act, 1878, and shall post up in his shop a copy of section 25 of that Act.

*9.—The license-holder shall at the time of purchase endorse upon the license of every purchaser holding a license under form VIII, IX or XI of the forms prescribed under the Indian Arms Act, 1878, the following particulars :—

(a) the name and address of the person who takes delivery of the articles sold ;

(b) the nature and amount of the articles sold ;

(c) the date of sale ;

and shall append his signature to the endorsement.

* These conditions are to be added only when the authority granting the license directs by an order written thereon that this license shall have the effect of the license granted under the Indian Arms Act, 1878.

FORM A-1.

(*See rule* 8.)

[FEE, EIGHT ANNAS IN STAMPS.]

License to manufacture, sell and possess an explosive of the 7th (firework) class.

Name, &c., of license-holder, and place of residence.	Place of business, factory or shop.	Description and quantity to be manufactured during the year.	Description and quantity to be possessed and sold during the year.	Date on which license expires.
				The 31st of December 189 .

_____ *District* ; } (Seal) (Signature.)
_____ 189 , } _____ of _____

Conditions.

1.—This license is given subject to the provisions of "The Indian Explosives Act, 1884," and the rules framed thereunder.

2.—The license-holder shall [illegible]

3.—The license-holder shall exhibit his stock and his books of manufacture and sales to any Magistrate or to any police officer not below the rank of Inspector, when such officer may call upon him so to do.

4.—The explosive shall be manufactured in such place as may be approved of by the District Magistrate, due regard being had to the public safety.

5.—All sales of explosives under this license must be effected upon the premises shown on the face of the license.

6.—An explosive shall not be sold to any child apparently under the age of 13 years.

7.—The explosive possessed by the licensee shall be kept in such a building as is referred to in condition 4: provided that a quantity not exceeding 50lbs. of an explosive of the 7th (firework) class may

be kept inside a dwelling-house or in any building other than as last aforesaid, in a receptacle exclusively appropriated to keeping explosives.

*8.—The license-holder shall affix to his shop or place of business a signboard as required by rule 11 of the rules framed under the Indian Arms Act, 1878, and shall post up in his shop a copy of section 28 of that Act.

FORM B.

(See rule 8.)

[FEE, AS IN RULE 9 (4), (5) AND (6).]

License to sell and possess gunpowder or explosive of the 1st division of the 6th (ammunition) class.

Name, &c., of license-holder, and place of residence.	Place of business, factory or shop.	Description and quantity of explosive to be possessed and sold during the year.	Date on which license expires
			The 31st of December 189 .

__________ *District* ;
__________ 189 .



(Signature)
__________ of __________

Conditions.

1.—This license is given subject to the provisions of "The Indian Explosives Act, 1884," and the rules framed thereunder.

2.—The license-holder shall keep records and accounts of all explosives in stock and of all sales in such form as the Local Government may from time to time direct.

3.—The license-holder shall exhibit his stock and his books and records of sale to any Magistrate or to any police officer not below the rank of Inspector, when such may call upon him so to do

4.—All sales of explosives under this license must be effected upon the premises shown on the face of the license.

5.—An explosive shall not be sold to any child apparently under the age of 13 years.

* This condition is to be added only when the authority granting the license directs, by an order written thereon, that this license shall have the effect of a license granted under the Indian Arms Act, 1878.

6.—The explosive shall be kept in a substantially constructed building exclusively appropriated for the purpose and detached from a dwelling-house: provided that 50lbs. of gunpowder, or, in lieu of each pound of gunpowder not so kept, 2lbs. of explosives contained in ammunition of the 1st division of class 6, may be kept inside a dwelling-house or in any building other than as last aforesaid, in a receptacle exclusively appropriated to keeping explosives.

* 7.—The license-holder shall affix to his shop or place of business a signboard as required by rule 11 of the rules framed under the Indian Arms Act, 1878, and shall post up in his shop a copy of section 28 of that Act.

* 8.—The license-holder shall at the time of purchase endorse upon the license of every purchaser holding a license under form VIII IX or XI of the forms prescribed under the Indian Arms Act, 1878, the following particulars :—

(a) the name and address of the person who takes delivery of the articles sold;

(b) the nature and amount of the articles sold;

(c) the date of sale;

and shall append his signature to the endorsement.

Form C.

(See rule 8)

[FEE, EIGHT ANNAS IN STAMPS]

License to possess gunpowder or an explosive of the 1st division of the 6th (ammunition) class.

Name, &c., of license-holder, and place of residence.	Description and quantity of explosive to be possessed during the year.	Place with full details where explosive is to be possessed	Date on which license expires.
			The 31st December 189

_______ *District*; } (Seal) (Signature.)

_______ 189 . } _______ of _______

* These conditions are to be added only when the authority granting the license directs, by an order written thereon, that this license shall have the effect of a like license granted under the Indian Arms Act, 1878.

Conditions.

1.—This license is given subject to the provisions of "The Indian Explosives Act, 1884," and the rules framed thereunder.

2.—The explosive shall be kept in a substantially constructed building exclusively appropriated for the purpose and detached from a dwelling-house, or in a fire-proof safe outside a dwelling-house and detached therefrom and at a safe distance from any highway, street, public thoroughfare, or public place, made and closed so as to prevent unauthorized persons having access thereto, and to secure it from danger from without:

Provided that 50lbs. of gunpowder, or, in lieu of each pound of gunpowder not so kept, 2lbs. of explosive contained in ammunition of the 1st division of class 6, or an equivalent quantity of explosive of the 7th (firework) class, may be kept inside a dwelling-house, or in any building other than as last aforesaid, in a receptacle exclusively appropriated to keeping explosives:

Provided also that no explosive other than gunpowder or ammunition of the 2nd division of class 6, made with gunpowder, shall be kept in a fire-proof safe.

3.—All articles or substances of an explosive or highly inflammable nature shall be kept at a safe distance from the explosive and from any building, fire-proof safe or receptacle containing the same.

4.—Neither the building exclusively appropriated for the purpose of keeping the explosive nor the fire-proof safe or receptacle referred to above shall have any exposed iron or steel in the interior thereof.

5.—All explosive exceeding 5lbs. in amount of the 1st division of the 6th (ammunition) class or of the 2nd division of the 7th (firework) class, and all other explosive exceeding 1lb in amount, shall be kept in a substantial case, bag, canister or other receptacle made and closed so as to prevent the explosive from escaping.

6.—Each description of explosive which may be kept under this license shall be separated by an intervening partition of such substance and character, or by such intervening space, as will effectually prevent explosion or fire in the one communicating with the other.

7.—The license-holder shall at the time of purchase have the following particulars endorsed upon his license by the vendor from whom he purchases and under the vendor's signature:—

(a) the name and address of the person who takes delivery of the articles purchased;

(b) the nature and amount of the articles purchased;

(c) the date of purchase.

Form D.

(See rule 14.)

[FEE, FIVE RUPEES IN STAMPS.]

License to possess explosives.

Name, &c., of license-holder and place of residence.	Place of business or shop	Description of explosive	Date on which license expires.

(Signature.)

__________ *District;*
__________ 189 . } __________ of __________

Conditions.

1.—This license is given subject to the provisions of "The Indian Explosives Act, 1884," and the rules framed thereunder.

2.—The explosive shall be kept in a substantially constructed building exclusively appropriated for the purpose and detached from a dwelling-house, and at a safe distance from any highway, street, public thoroughfare, or public place, made and closed so as to prevent unauthorized persons having access thereto and to secure it from danger from without

[illegible] 15lbs of such explosive [illegible] as last aforesaid, in a [illegible] explosives.

[illegible] ably inflam- [illegible] explosive [illegible]

[illegible] appropriated for the pur- [illegible] ceptacle shall have any [illegible]

5.—All such explosive exceeding 1lb. in amount shall be kept in a substantial case, bag, canister or other receptacle made and closed so as to prevent the explosive from escaping.

6.—Each description of explosive, each of which may be lawfully kept under this license, shall be separated by an intervening

partition of such substance and character, or by such intervening space, as will effectually prevent explosion or fire in the one communicating with the other.

7.—The license-holder shall at the time of purchase have the following particulars endorsed upon his license by the vendor from whom he purchases and under the vendor's signature:—

(a) the name and address of the person who takes delivery of the articles purchased;

(b) the nature and amount of the articles purchased;

(c) the date of purchase.

Form E.

(See rule 17.)

[FEE, TWENTY RUPEES IN STAMPS.]

License to possess explosives.

Name [illegible] license holder a[illegible] residence.	[illegible] which the license applies.	Situation cha[illegible] ed with the magazine.	[illegible] sessed.	Amount of ex[illegible] within the boundaries of the site thereof.	[illegible]

(Signature.)

__________ *District*;
__________ 189 . __________ of ______

Conditions.

1.—This license is given subject to the provisions of "The Indian Explosives Act, 1884," and the rules framed thereunder.

2.—There shall not be at the same time in the magazine an amount of explosives exceeding the amount specified in the license.

3.—The magazine shall be used only for the keeping of explosive or explosives specified in the license, and of receptacles for, or tools or implements for work connected with, the keeping of such explosive or explosives.

4.—The interior of the magazine and the benches, shelves and fittings therein, shall be so constructed or so lined or covered as to prevent the exposure of any iron or steel, and the detaching of any grit iron, steel or similar substances in such manner as to come into contact with the explosive, and such interior benches, shelves and fittings shall, so far as is reasonably practicable, be kept free from grit and otherwise clean; and in the case of any explosive being possessed which is liable to be dangerously affected by water, due precautions shall be taken to exclude water therefrom.

5.—The magazine shall have attached thereto a sufficient lightning-conductor.

6.—Before repairs are done to or in any part of a room or magazine, it shall, as far as is practicable, be cleaned by the removal of all explosive or mixed ingredients thereof, and the thorough washing out of such room or part; and after such cleaning, these conditions shall cease to apply to explosives until such room or part of the magazine is again taken into it.

7.—Except after such cleaning, all tools and implements used in or in any repairs to any part of the magazine shall be made only of wood, copper or brass, or some soft metal or material, or shall be covered with some safe and suitable material.

8.—Due provision shall be made by the use of suitable working clothes without pockets, suitable shoes, searching and otherwise, or by some such means for preventing the introduction into the magazine of fire, lucifer matches, or any substance or article likely to cause explosion or fire, or any iron, steel, or grit; but this rule shall not prevent the introduction of an artificial light of such construction, position or character as not to cause any danger of fire or explosion

9.—No person shall smoke in any part of the magazine.

10.—Any person under the age of 16 years shall not be employed in or enter the magazine except in the presence and under the supervision of some grown-up person.

11.—Two or more descriptions of explosives which may law- [illegible] licensed magazine may be possessed in the [illegible] by an [illegible] by such intervening space as will effectually prevent explosion or fire in the one communicating with the other, subject to the following qualifications:—

(*a*) The various explosives of classes 1 (gunpowder), 2 (nitrate-mixture), 3 (nitro-compound), and 4 (chlorate-mixture), safety fuse belonging to the 1st division of

class 6 (ammunition), and such of the various explosives of the 2nd division of class 6 (ammunition) as do not contain any exposed iron or steel, may be kept with each other without any intervening partition or space

(b) The various explosives of the 1st division of class 6 (ammunition) may be kept with each other without any intervening partition or space.

(c) Such of the various explosives of the 2nd division of class 6 (ammunition) as contain any exposed iron or steel may be kept with each other without any intervening partition or space.

(d) The various explosives of the 3rd division of class 6 (ammunition) may be kept with each other without any intervening partition or space.

(e) The various explosives of class 7 (firework) may be kept with each other without any intervening partition or space.

Except as aforesaid, two or more descriptions of explosives may not be kept in the same magazine.

12.—The licensee and every person employed in or about the magazine sha[illegible] [illegible]ction of accidents by fire [illegible] ized persons [illegible] therein, and shall abstain from any act whatever which tends to cause fire or explosion, and is not reasonably necessary for the purpose of the work in such magazine.

Form F.

(*See rule* 23.)

[FEE, FIVE RUPEES IN STAMPS.]

License to sell explosives.

Name, &c., of license-holder, and place of residence.	Place of business or shop	Description of explosive to be sold.	Date on which License expires.

(Signature.)

__________ *District*,
__________ 189 .

__________ of __________

1.—This license is given subject to the provisions of "The Indian Explosives Act, 1884," and the rules framed thereunder.

2.—The license-holder shall keep records and accounts of all explosives in stock and of all sales, in such form as the Local Government may from time to time direct.

3.—Explosives shall not be sold to any child apparently under the age of 13 years.

4.—All explosive exceeding 1lb in weight, when publicly exposed for sale or sold, shall be in a substantial case, bag, canister or other receptacle made and closed so as to prevent the explosives from escaping, and the outermost receptacle containing such explosive shall have affixed the name of the explosive, with the word "Explosive" added thereto, in conspicuous characters by means of a brand or securely-attached label or other mark

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Blasting—
Home Department Notification No 518, dated 19th April 1893.

No fee shall be charged for licenses granted to contractors, cultivators or other persons to possess gunpowder, fuses or other [illegible] hen the same are proved to the [illegible] he license to be required *bona* [illegible] to contractors, for blasting [illegible] granted to cultivators or other [illegible] persons, for blasting purposes in connection with agricultural works or works of public utility.

Licensee's accounts.
G O No $\frac{1634}{VI-100B}$ of 19th July 1889.

The following forms are prescribed for use by all holders of licenses in forms A, B and F attached to the schedule to the rules regarding explosives published under Notification No. $\frac{1418}{VI-80B}$, dated 27th June 1888, printed at page 123 *et seq*

2. As regards firework-makers (holders of licenses in form A-1), His Honor the Lieutenant-Governor does not at present consider it necessary to prescribe any definite form of accounts, such persons having been represented by the majority of Magistrates to be poor and illiterate persons

3. In the event of a license for explosives being endorsed under general rule 8, published with the notification above referred to, so as to give it the effect of a like license issued under the Indian Arms Act, 1878, it will not be necessary for the holder to maintain two stock-books: but it will be sufficient for him to show in column 5, form B (page *ante*) details of the ammunition in store, that column being subdivided for this purpose if necessary.

DAY-BOOK.

Date.	Name of purchaser and father's name.	Caste	Residence.	Articles purchased.	Price paid.	* Form and date of license held by purchaser, or if exempted from the operations of the Arms Act, the grounds of exemption.

* This column was added by G. O. No. $\frac{3147}{VI-190B}$, dated 23rd September 1890.

The entries in column 5 should show in detail both the quantity and the description of the articles purchased

STOCK-BOOK.

Date.	Stock.	Gunpowder	Safety cartridge	Percussion caps.				
	In store ...							
	Added to store ...							
	Disposed of ...							
	Balance ...							

Firework licenses. G. O. No. $\frac{2517}{VI-50B}$ of 6th June 1894.

THE preparation used generally by manufacturers of fireworks is not "gunpowder ordinarily so called," *i.e.*, gunpowder which is or can be used for guns or other firearms, and accordingly a license in from A-I (printed on page 133 *ante*) the fee of which is 8 annas covers the industry pursued by the general run of firework manufacturers in these provinces. Should any firework maker wish to use "ordinary gunpowder" for any class of fireworks or to sell "ordinary gunpowder" in addition to selling fireworks, he must also take out a license in form B: and if he also wants to make "ordinary gunpowder" he must take out a license in form A.

Explosives Act. Return of prosecutions under the—

THE annexed form of a return of prosecutions under the Explosives Act should be submitted (whenever there are entries to be made) with the annual report on the working of the Arms Act:—

G. O. No. $\frac{4081}{VI—80B}$, dated 22nd December 1892.

FORM B.—*Annual statement of the operation of the Explosives Act (IV of 1884) in the district of for the year* 189 .

Number of persons punished under— Section 5 for offences under— *Rules made by the Governor General (Home Department No. 1417, dated 24th June 1887) to regulate the t[illegible] port and import of expl[illegible]: Rule 3 (breach of rules relating to the packing of explosives).	Rule 7 (breach of rules relating to the conveyance of explosives).	Rule 9 (importing explosives in contravention of rule 5).	[illegible]	[illegible]	† Rules made by the Local Government (G. O. No. $\frac{1418}{VI—80B}$, dated [illegible]h June 1888) for the manufacture, possession and sale of [illegible]losives in the North-Western Provinces and Oudh: Rule 5 (possessing explosives in contravention of rule 4).	Rule 7 (selling explosives in contravention of rule 6)	Rule 11 (breach of any condition of a license under rule 8).	Rule 13 (breach of any condition of a license under rule 12).	Rule 16 (breach of any condition of a license under rule 14).	Rule 20 (breach of any condition of a license under rule 17).	Rule 22 (breach of any condition of a license under rule 21)	Rule 26 (breach of any condition of a license under rule 23)	Section 12 for abetment.	Total number punished.	Amount and description of explosives confiscated under section 10: Gunpowder.	Nitrate-mixture, nitro compound, chlorate-mixture, fulminates.	Ammunition: Division 1.	Division 2.	Division 3.	Fireworks.	Amount of fines: Imposed.	Realized.	Remarks.
																					Rs.	Rs.	
1	2	3	4		6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24

* *Vide* page *ante*.
† Ditto *ante*.

NOTE.—If the return is blank, it should be reported as such.

Proper Licenses.

For a tabular list of licenses which are required under the Arms and Explosives Acts see pages 74-79 *ante*.

EXTRADITION.

Rules under section 18 of Act XXI, 1879.
G. G. O. No 31J., dated 12th March 1875 (Foreign), amended by G. G. O. No. 87J, dated 16th August 1876.

1. The Political Agent shall not issue a warrant under section 11 of the Act in any case which is provided for by treaty if the native state expressly desires to abide by the procedure of the treaty, nor in any case in which application for surrender is made under section 14 to the Governor-General in Council or any Local Government.

2. The Political Agent shall not issue a warrant under section 11 except on a request preferred to him in writing by, or by the authority of, the person for the time being administering the executive government of the native state at which he is the British representative, and on the understanding that the provisions of Act XXI of 1879 and of these rules are to apply to the case.

3. If the accused be a British subject, the Political Agent shall, before issuing such a warrant, consider whether he ought not to certify the case as one for trial in British India; and he shall, instead of issuing a warrant, so certify the case if he is satisfied that the interests of justice and the convenience of witnesses can be better served by the trial being held in British India than in the native state.

4. The Political Agent shall in all cases, before issuing a warrant under section 11, satisfy himself by a preliminary inquiry that there is a *primâ facie* case against the accused, and that the charge is not prompted by political motives.

5. If the person surrendered under the warrant of the Political Agent, issued under [illegible] subject, or if such person being a Brit[illegible], either by custom or by the [illegible]-General in Council, try native [illegible] by extradition, and the Political Agent after hearing the statement, if any, of the accused, and making such further inquiry as he may deem necessary, is still satisfied that there is a *primâ facie* case against the accus[illegible] motives, the Politi[illegible] by the ordinary [illegible] committed, provided that the courts of the state have, by custom or recognition as aforesaid, power to inflict the punishment which may be inflicted under the Indian Penal Code for the offence with which the accused person is charged.

6. If the accused be a British subject, but the courts of the state do not, by custom or recognition as aforesaid, try native British subjects, the Political Agent shall dispose of the case himself.

7. If the punishment which may be awarded under the Indian Penal Code for any offence for which an accused person has been ... custom ... try the

8. Notwithstanding anything in the three preceding rules, the Political Agent shall try any such case himself, or make it over for trial by the ordinary courts of the state, if he be generally or especially instructed by the Governor-General in Council so to do.

9. In cases made over for trial by the courts of a native state under rules 5 and 7, the Political Agent shall satisfy himself that the accused receives a fair trial, and that the punishment inflicted ... f he ... to

10. A return of all persons made over for trial by the courts of a native state under rules 5 and 7 shall be submitted half-yearly by the Political Agent to the Government of India or the Governments of Madras or Bombay, as the case may be, in the following form:—

Return of persons made over during the half-year ending on the—— for trial by the courts of the native state of——under the Extradition Act, XXI of 1879.

G. G. O No. 400E. dated 17th March 1885.

Number.	Name of person.	Nationality.	Offence with which charged.	Where arrested.	Date of surrender.	Native state to which surrendered for trial.	Reasons for surrender	Nature of sentence passed, with date of sentence.	Remarks.	Disposal of cases shown as pending in the previous half year's return.

... nt issued ... sted on a ... possible, in the same way as persons under trial for a similar offence would be treated under the Code of Criminal Procedure, or under the procedure in force in the presidency towns, if the arrest takes place within any presidency town.

12. Persons sentenced to imprisonment by the Political Agent shall, if British subjects, be conveyed to the most convenient jail in British territory, there to be dealt with as though the conviction had taken place in a court of British India: provided always that no appeal shall thereby be given other than is allowed by any rule for regulating appeals from the decisions of the Political Agent.

13. Nothing in rules 5 to 10 inclusive, which refer to cases under section 13 of the said Act, shall be deemed to apply to Political Agents immediately under the authority of the Governor in Council of the Presidency of Fort St. George or the Governor in Council of the Presidency of Bombay.

G. G. O. No. 149J., dated 8th October 1875 (Foreign).

The above rules under Act XXI of 1879 (the Foreign Jurisdiction and Extradition Act, 1879) shall not apply to native territory under the direct administration of the British Government in which the Code of Criminal Procedure (Act X of 1882) is in force.

Bail cannot be taken.
G. G. O. No. 55J., dated 6th May 1875 (Foreign Department).

WHEN a prisoner has been arrested under a Political Agent's warrant (section 12), or under a warrant issued under section 14 by the Governor-General in Council or any Local Government, bail cannot be taken, and the person arrested must be removed in custody and delivered up at the place and to the person named in the warrant.

Extradition from native states of criminals charged with offences committed in British territory.
Circular No. 8, dated 18th April 1873 (Political Department).

THE following procedure should be followed to obtain delivery from a native state of a subject of such state charged with an offence committed in British territory. Such cases are not governed by the extradition law (Act XXI of 1879), which relates only to the surrender to native states of their criminals taking refuge in British territory. That Act in no way affects the demands of the British Government on native states, whether extraditional treaties exist with them or not. Magistrates should act promptly in the manner prescribed in the extract hereto appended in all cases where the surrender of criminals from native states may be necessary.

Extract from Resolution No. 158J., dated 8th August 1871, Foreign Department.

The offences for which the surrender of the subjects of native feudatory states is demanded should be limited to those for which authority may [illegible] to surrender the subjects of native state[illegible] a larger catalogue should be allo[illegible] demand is made, it should be made by British Magistrates, not to the state direct but to the Political Officer, where there is one; and the demand should invariably be accompanied by a copy of any depositions

made, or where no evidence has yet been taken, by a statement of the information on which the arrest of the offender is deemed necessary. It should rest with the Political Agent, if necessary, to call on the Magistrate for further evidence; but if the Political Agent possesses the influence and weight he ought to have, he should seldom fail to obtain compliance with any reasonable demand made to the darbár to which he is accredited for the surrender of an absconded criminal.

Extradition of absconded offenders from Nipal.
No. 93, dated 26th July 1879.

THE Deputy Commissioners of Kheri, Bahraich and Gonda are authorized to make their applications for the arrest and extradition of accused British subjects who have absconded into Nepalese territory, direct to the Resident.

No. 1202, dated 8th October 1879.

Murder.
Attempt to murder.
Rape.
Maiming.
Thaggi.
Cattle stealing.
Embezzlement by public officer.
Dakaiti.
Highway robbery.
Poisoning.
Burglary.
Arson.
Serious theft, *i.e.*, cases of theft in which the amount stolen may be considerable or personal violence may have been used.

The list on the margin contains the only offences for which extradition from Nipal can be demanded.

No. 600, dated 22nd May 1880.

Where an offence seems, *primâ facie*, to come within the definition of murder in section 300 of the Indian Penal Code, the demand for extradition should be made under the head of murder, although there may be some chance that on trial the offence may be found to fall under some of the exceptions to the section. Where the case is clearly one of culpable homicide not amounting to murder, no demand should be made.

India's No. 1534E.P., dated 15th August 1881.

A case recently occurred in which the Nipal Darbár applied for the extradition of a Nipalese subject charged with the treaty offence of cattle-theft, although the accused had already been tried in British territory for the dishonest possession of the cattle in question and sentenced to two years' rigorous imprisonment.

In such cases extradition cannot be refused, and in future, persons suspected of having committed such offences should be detained; and if, upon reference to the darbár, it is ascertained that the accused is a Nipalese subject, and that he has apparently committed the offence complained of in Nipalese territory, he can, upon suitable requisition made, be surrendered at once to that Government for trial.

Extradition with Nipal.
G. O. No. $\frac{454}{VI-45}$, dated 17th March 1887.

The following arrangements should be observed in regard to extradition and prevention of crime on the Nipal frontier.

The darbár have issued orders that in cases where the surrender of a Nipalese subject who is charged with having committed a crime in Nipal and has fled into British territory, is desired, the local officials will give to the nearest Magistrate in British territory such

information of the accused's place of refuge as may lead to his arrest, and such evidence as will justify his detention for a reasonable period. They will, without delay, furnish copies of the information and evidence to the Prime Minister for communication to the Resident. The Resident will then either issue a warrant for the accused, or, if a reference to Government is first needed, will take steps to ensure his detention.

[illegible] to the local author- [illegible] ritish Indian subject [illegible] nt of the crime with which he is charged. An accurate description of the accused's personal appearance and the names of the thána or pargana, the village and the owner of the house where he has taken refuge, should, if possible, be given. As full an account as circumstances will allow of the offence with which he is charged should be drawn up from the police papers or from depositions made before the Magistrate, and should be authenticated and forwarded with the information and the request for the detention of the accused. Copies of these documents should at the same time be sent to the Resident for communication to the darbár.

His Honor desires to remind Magistrates of the necessity for furnishing with requests for surrender as complete a *primá facie* record of guilt as they can. The efforts of Government and the darbár to keep down crime on the frontier can only be successful when the local authorities give and receive the fullest information possible.

Extradition Act (XXI of 1879). Rules under the—
Foreign Department's Circular No 877I. of 3rd October 1882, and G. O. No. 281, dated 16th February 1883.

THE returns prescribed by the tenth of the rules made under the Act (p. 114) should be submitted for the half-yearly periods ending on the 30th June and the 31st December. They should be submitted to the Local Government only.

Extradition between the French and British possessions in India.
Foreign Department No. 1934I., dated 29th May 1884.

UNDER the stipulations of article IX of the Treaty of 7th March 1815, between Great Britain and France, which relates exclusively to the Indian possessions of the two countries, it has been customary to surrender persons accused of non-political offences of a grave character [illegible] supported by a warrant and a summary of the c[illegible] s being required; and it has not [illegible] bserve the more stringent provisions of section 14 of the Indian Extradition Act, XXI of 1879, and sections 3 and 10 of Acts XXXIII and XXXIV, Vic., cap. 52, relating to extradition.

In the opinion of Her Majesty's Government, section 1 of Act XXI of 1879 affords sufficient legal authority for the carrying out of the treaty in accordance with the existing practice.

FINES.

Rules for the realization of—imposed by criminal courts.
No. 29, dated 5th May 1880.

The following instructions have been issued regarding the realization of fines:—

(1) It is the duty of the police to demand payment of fines imposed by criminal courts, and for the realization of which a warrant is issued. Magistrates, in issuing warrants for the levy of fines under section 386, Act X of 1882, will direct them to the police.

(2) If payment is made on demand, the money so received will be forwarded to the Magistrate's court, and the warrant returned with the execution that has taken place endorsed on its reverse.

(3) If payment is not made at once, the police officer bearing the warrant will attach the movable property of the person fined to an amount that may be sufficient to liquidate the fine.

(4) He will then return the warrant to the Magistrate, after endorsing on it the execution that has taken place.

(5) Such warrants shall ordinarily be directed through the Court Inspector to the police officer in charge of the station within which the property of the offender is situated, and may be endorsed by him to any police officer subordinate to him.

(6) If it be necessary to sell the property so attached, this duty shall, under the orders of the Magistrate, be performed as follows:—

G. O. No. $\frac{313}{\text{VII—107}}$, dated 22nd April 1886.

(i) At the headquarters of the district, by the Magistrate's nazir.

(ii) In other places, by the kurk amín, or, where there is no kurk amín, by the person who ordinarily performs the duties of kurk amín.

information of the accused's place of refuge as may lead to his arrest, and such evidence as will justify his detention for a reasonable period. They will without delay furnish copies of the information and evidenc [illegible] the Resident. The [illegible] accused, or, if a reference to Government is first needed, will take steps to ensure his detention.

Similarly, Magistrates will give information to the local authorities of the darbár of the place of hiding of a British Indian subject who has absconded into Nipal, with an account of the crime with which he is charged. An accurate description of the accused's personal appearance and the names of the thána or pargana, the village and the owner of the house where he has taken refuge, should, if possible, be given. As full an account as circumstances will allow of the offence with which [illegible] from the police papers or from [illegible] and should be authenticated and forwarded [illegible] and the request for the detention of the accused. Copies of these documents should at the same time be sent to the Resident for communication to the darbár.

His Honor desires to remind Magistrates of the necessity for furnishing with requests for surrender as complete a *primâ facie* record of guilt as they can. The efforts of Government and the darbár to keep down crime on the frontier can only be successful when the local authorities give and receive the fullest information possible.

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(3) If payment is not made at once, the police officer bearing the warrant will attach the movable property of the person fined to an amount that may be sufficient to liquidate the fine.

(4) He will then return the warrant to the Magistrate, after endorsing on it the execution that has taken place.

(5) Such warrants shall ordinarily be directed through the [illegible] the station within [illegible] may be endorsed [illegible]

(6) If it be necessary to sell the property so attached, this duty shall, under the orders of the Magistrate, be performed as follows:—

G. O. No. $\frac{313}{VII-109}$, dated 22nd April 1880.

(i) At the headquarters of the district, by the Magistrate's názir.

(ii) In other places, by the kurk amín, or, where there is no kurk amín, by the person who ordinarily performs the duties of kurk amín.

FOREIGNERS.

Grant of passports to —by Magistrates. Circular No 3A., dated 31st January 1866 (General), calling attention to No. 1729 (Home), dated 24th November 1856.

MAGISTRATES and other authorities, civil and political, are strictly forbidden to grant passports or certificates and other documents in the nature of passports to persons travelling or intending to travel from one part of India to another.

Persons intending to travel from India to foreign countries can obtain passports on application to Government in the proper department.

Mode of dealing with suspicious— Circular No. 27A., dated 2nd November 1868.

THE provisions of the Arms Act should be stringently enforced in respect of all foreigners whose occupation and means of livelihood are not removed from all suspicion.

Whenever it may appear to the officer in charge of a district that the presence there of any [illegible] instead of passing them on to an adjacent [illegible] the circumstances through t[illegible] ernment, which will then, if sufficient cause be shown, deal with the case under the provisions of sections 3 and 4, Act III of 1864.*

Care must at the same time be taken that under these orders n[o] vexatious and unnecessary interference be exercised towards bodie[s] of peaceable foreign merchants or traders who may visit Indi[a] with the distinct aim of trafficking at particular marts or residing at particular centres of commerce and industry.

Foreign Asiatic vagrants. Wandering gangs of— No. 85, dated 12th July 1875.

THE following instructions on the subject of the treatment of gangs of foreign Asiatic vagrants travelling in India without any ostensible means of livelihood should be strictly observed in regard to the method of dealing with these wandering gangs:—

When it is found necessary to deport gangs of these foreigners by railway, they should be made to pay their own railway expenses, wherever practicable, by the sale of their ponies, their confiscated arms, or any other property which they cannot take with them, any balance being returned to the owners. Where this cannot be done, [illegible] their [illegible] nard, [illegible] Gov- [illegible] of the [illegible] the Inspector-General.

Whenever any of these gangs are deported to the Panjáb, they should be sent to Umballa cantonments and not to Delhi, due intimation being given to the Panjáb police authorities in regard to the probable date of their arrival at the former station.

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* An Act to give the Government certain powers with respect to foreigners.

Government of India No. $\frac{29}{989-1000}$, dated 20th May 1879.

(1) The frontier provinces are responsible that gangs of foreign vagrants are not allowed to pass into India.

(2) In any province where such a gang commits any depredations, no effort should be spared in bringing the chief offenders to justice for specific crimes, or treating them, as the law allows, under Chapter VIII of the Criminal Procedure Code.

(3) On no account should such gangs be passed on under police or [illegible]; but if [illegible] .rried out [illegible] descriptive-rolls of the deported persons, with photographs of the leaders, being taken and forwarded to the frontier Governments; and

(4) On no account should safe-conduct passes or licenses to carry arms be granted to gangs of this type, or to any members of such gang; and if arms or ammunition are found in their possession, they should be at once disarmed in accordance with the provisions of the Arms Act.

It may be true that in some cases these people possess money and jewels, but none the less do they harry the country and live on the people; and therefore they must, when they conduct themselves as marauders, be treated accordingly. Careful effort on the [illegible] authorities to enforce the existing [illegible] in course of time deter them [illegible] quiet Indian provinces. The fact that in many of our British provinces the people possess few weapons, and are unfitted by nature and habit to resist, with any degree of success, the aggressive proceedings of gangs of these Asiatic foreigners, renders it the more incumbent on magisterial and police officers to make every effort to protect the people.

Foreign Asiatic immigrants. Wandering gangs of— G. O. No. 85, dated 12th July 1875.

It has been found that the foregoing instructions regarding wandering gangs of foreigners are liable to misconstruction. It should therefore be understood that deportation, if resorted to at all, must be carried out strictly in accordance with Act III of 1864, and only under the orders of the Local Government, as directed by section 3 of that Act.

G. O. No. $\frac{2020}{VI-827}$, dated 17th December 1886.

In continuation of the above, attention is directed to the following orders of the Government of India :—

Resolution dated 25th November 1886.

Instances have recently come under the notice of the Government of India in which the instructions of 20th May 1879, have in certain respects been overlooked by local officers.

The practice of furnishing wandering gangs with police escorts, [illegible]

officers in the several provinces should be directed to those orders, a strict observance of which should at the same time be enjoined. It must also be understood that such gangs must under no circumstances be passed on from British territory into native states. His Excellency in Council would furthermore point out that the treatment of these foreign vagrants is a matter which requires the exercise of a careful discretion, and which cannot be regulated by hard-and-fast rules.

The Government of India also concurs in the suggestions made by the Chief Commissioner of the Central Provinces and the Bengal Government, namely—

(1) that an order of deportation, if issued by any Local Government, should be made effective, and should not merely require the removal of the persons concerned from a particular presidency or province, but beyond the limits of British India (section 3, Act III of 1864), and that the route for removal should be always specified in the order, warning being at the same time given to the Local Governments and Administrations through whose territories the gang will pass; and

(2) that whenever a license to carry arms is given to any person who may appear to be travelling *boná fide* for the purpose of trade, a note should be made on the license of the number of persons accompanying such person, and that he should be given distinctly to understand that should his followers be augmented at any time, or should he join any other company or gang, his license would be at once liable to cancellation.

In conclusion, the Governor-General in Council wishes it to be clearly understood that the object of calling renewed attention to the matter is not to interfere with the movements of persons who are *boná fide* engaged in trade, but to protect the peaceable inhabitants of the country from the depredations of wandering gangs whose real object is rather larceny or plunder than legitimate trade.

Deportation of Baories and Pathans convicted in British India. Home Department No. 273, dated 20th July 1859.

WITH a view to the removal from British India, on the expiry of their sentences, of Baories of Rájputána and of Pathans convicted in British India, the following instructions are laid down for guidance:—

The prisoners concerned should, shortly before the expiry of their sentence, be transferred to a jail in British India near the foreign territory to which they belong, the sanction of the Government of India being obtained to such transfer where necessary, that is, when a prisoner has to be tranferred from one province to another. The Local Government within whose jurisdiction the jail to which the transfer is made is situated, can issue the necessary order of deportation under section 3, Act III of 1864, on the termination of the prisoner's sentence.

FRAUDS.

Procedure to be followed by the officer conducting the prosecuton on behalf of the Government in cases of—

Circular No. $\frac{12}{VI—515—1}$, dated 29th September 1884.

In prosecuting cases in which persons convicted are charged with stamp or other frauds, involving a pecuniary loss to Government, the Government Pleader, Court Inspector or other officer conducting or watching the prosecution on behalf of Government, should, at the close of the trial, and prior to the announcement of the court's decision, submit for the court's consideration the propriety of imposing, in case of conviction, a fine corresponding to the amount of pecuniary loss incurred or said to be incurred by Government.

This course should, however, only be adopted under the orders of the Magistrate of the district in cases where inquiry has shown that the prisoner possesses sufficient property to secure the realization of the desired fine.

HANDCUFFS.

—On under-trial prisoners.
No. $\frac{2136}{VI-470}$, dated 3rd November 1885.

MAGISTRATES are requested to see that the following instructions of the Police Department are carefully observed :—

"As a rule, all persons accused of non-bailable offences *may* be handcuffed when arrested, and when in transit from one place to another; handcuffs should, however, only be imposed when, from the heinous nature of the crime, or the character or behaviour of the accused, a fair presumption arises that such restraint is necessary to prevent escape or violence.

"When an arrest is made by any police officer subordinate to the officer in charge of a station, the consent of the latter must, if possible, be obtained to the imposition of handcuffs, and must, in all cases be obtained before transit to the courts.

"*N.B.*—The person arrested shall not be subjected to more restraint than is necessary to prevent his escape."

JAILS.*

Inspection of—
Circular No 1, dated 10th January 1878.

VISITORS of jails, when they believe that a change is advisable in any branch of the sanctioned system of jail administration, should refer their opinions to the Government, either directly or (as will probably be found preferable in most cases) through the Inspector-General of Prisons. Remarks with regard to the internal arrangements of the jail, or the state of discipline maintained therein, should alone be recorded in the visitors' book.

Prosecution of—officials.
Circular No 9A, dated 30th June 1877.

PRISON officials who are believed to have committed offences under the Prisons Act (IX of 1894) should not be prosecuted before a Magistrate until a reference has been made to the Inspector-General of Prisons in order that he, as head of the Department, may determine whether the offender should be punished departmentally or prosecuted criminally.

Relations of Magistrates and Superintendents of jails.
Circular No 68, dated 6th October 1877 (General Department)
G. O. No. 1, dated 13th January 1864, and No. 126 dated 6th September 1879.

THE following are the rules regulating the relations of Magistrates and Superintendents of district jails, and regarding the appointment and duties of official visitors of central prisons and district jails :—

The Magistrate of the district shall, in the absence of any officer specially ordered by Government to do so, assume charge of the jail. This control he may immediately exercise himself, or he may appoint any salaried Magistrate under him or the Superintendent of Police or an Assistant Surgeon (of not less than 10 years' standing in the service) in civil medical charge of the district, to assume charge of the jail, reporting his action at once through the Inspector-General of Prisons for the sanction of Government.

Circular No 25, dated 3rd May 1880.

The power of placing the Superintendent of Police in charge of the jail is to be exercised as a last resort only, when no other arrangement is practicable. When such an arrangement is made, the circumstances which rendered it unavoidable should be fully explained at the time the transfer of the charge is reported. As a rule, the charge of the jail, failing the Civil Surgeon, should be held by one of the magisterial staff.

Sections 8 and 56 of Prisons Act.

The Magistrate of the district shall personally visit the district jail at least once a month : in his absence from the station he may depute the Joint Magistrate to visit in his stead.

The date of these visits shall be recorded in the visitors' book, and any orders, remarks or suggestions made shall be entered therein.

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*See also the *Jail Manual* for departmental rules.

The Superintendent of a district jail is bound to carry out all orders of the Magistrate or the Deputy Commissioner, reporting the instructions he has received, with such remarks as he considers neces-

Section of Prisons Act.

ent of the jail.

The Magistrate of the district, in all matters affecting the discipline and management of the jail, shall report to the Inspector-General of Prisons any important step he may consider it necessary to take.

Official and non-official visitors.

Commissioners of Divisions and District and Sessions Judges are *ex officio* visitors of all jails and lock-ups within their respective jurisdictions. The Inspector-General of Civil Hospitals is *ex officio* visitor of all jails and lock-ups in the North-Western Provinces and Oudh.

G. O. No. $\frac{2590}{VI-215C}$, dated 15th September 1893.

The Magistrate or the Deputy Commissioner of the district is also *ex officio* a visitor of any central prison situated in his district.

The senior resident officer shall be the chairman of the visitors ... far as may be necessary, with re- ... the following minimum number

Central Prisons.

(1) By Commissioners—three visits, except in the case of Fatehgarh Central Prison, which shall be visited by the Commissioner whenever he visits Fatehgarh.

(2) By Judges and Magistrates—three visits each.

District Jails and Lock-ups.

(1) To jails and lock-ups at headquarters of Commissioners and Judges—three visits shall be paid by each officer to each jail and lock-up.

(2) At other places the jails and lock-ups shall be visited by the Commissioner and Judge whenever those officers visit the outstations at which they are situated.

The Magistrate has not been appointed a visitor of the district jail because, as the head of the district, his responsibility in respect of that jail is much more direct. By the present rules he is required

to visit the jails at least once a month. If he takes a real interest in his work, he will visit it much oftener. By parading the under-trial prisoners and examining the warrants of men admitted to jail, he can keep himself acquainted with the action of the subordinate Magistrates with little trouble to himself.

The visitors may call for all books, papers and records of every department of the jail; they shall visit every ward, yard and cell and see every prisoner in confinement, and they shall ascertain whether the rules and orders are attended to.

The official visitors shall record their visit and any remarks or suggestions they have to make in the visitors' book; and the Superintendent shall at once forward a copy of such record to the Inspector-General of Prisons for the issue of suitable orders. Where the remarks of the official visitors require *explanation*, such explanation shall invariably accompany the copy.

G. O. Nos. 2480 and 1098 / VI—994B, dated 27th September 1892 *and 6th May 1893.*

Non-official visitors may be appointed to the central prisons of these provinces: the number of non-official visitors so appointed to each central prison shall not exceed six. Their term of office is two *years. A retiring visitor is eligible for reappointment.*

Visitors to—Admission of—

G. O. No. 1675, dated 21st June 1881.

In the matter of the admission of visitors to the jail, the authority of a high officer of Government, such as the Commissioner, should be fully recognised. With him should ordinarily rest the final authority [illegible] In this view, a day and [illegible] persons who may [illegible] to the jail; and a notice should be posted in conspicuous places declaring that persons will not be admitted on any other occasions, except under the orders of the chairman of the visiting committee, whose designation and address should also be notified. This restriction is not intended to prohibit the Superintendent from admitting persons whom he may wish to show round the prison at any other time. Should he, however, refuse admission to any person so demanding it, he should at once inform the chairman of the visiting committee, or record the matter *prominently* in the jail records, over which the visitors are at any time entitled to look.

Escapes.

No 775, dated 31st May 1879.

In every case of an escape from inside a jail, the Magistrate of the district (or, in [illegible] in charge at head-quarters), immediately [illegible] occurrence, shall himself make a [illegible] nces of the escape and submit a [illegible] General of Prisons, with such recommendations as he may think fit to make in regard to the jail officials concerned. The report, if not prepared by the Magistrate of the district, should be sent through him.

LOCK-UPS.

EVERY lock-up which is separate from the jail should be placed under the supervision of the medical officer who has charge of the jails (central and district), but such officer will not exercise magisterial powers in the lock-up. Notification of appointment is not necessary.

Charge of—to be under medical officers as Superintendents of jails.
Circular No. 94, dated 28th July 1868.

MAGISTRATES of districts are *ex officio* Superintendents of lock- [illegible] ul. The Magistrate of the [illegible] uld visit each such lock-up [illegible] ituated at headquarters of [illegible] by the officer in charge.

Lock-ups. Visiting of—
G. O. No. $\frac{2599}{VI-215C.}$, dated 15th September 1893.

Commissioners of Divisions are requested to see that lock-ups are properly managed, and that Magistrates duly visit and take an interest in the jails of their division.

LOTTERIES.

Advertisements of—in newspapers to be reported to Government.
Circular No. 5A, dated 15th March 1876.

THE publication by advertisements in newspapers of any proposals relating to lotteries which have not been authorized by the Government, is an offence punishable under section 294A of the Indian Penal Code. Magistrates should therefore take steps to make the Government acquainted with any such cases occurring in their districts, in order that sanction to the prosecution of offenders may be obtained under the provisions of section 196 of the Criminal Procedure Code.

Nos 4330-345, dated 1st November 1877.

THE following orders by the Government of India, Home Department, are published for general information :—

On the 13th September last the Bengal Government forwarded a letter from the Commissioner of Police at Calcutta, reporting that advertisements of lotteries and race-sweeps printed beyond the limits of Lower Bengal are sent in large numbers to hotels and other places of public resort in Bengal, in contravention of section 294A of the Indian Penal Code, and that the proprietors of newspapers and other periodicals in Bengal complain bitterly that their columns are closed to notices and advertisements which are freely permitted elsewhere. His Honor the Lieutenant-Governor of Bengal considers that the present treatment of lotteries by the different Local Governments is exceedingly unsatisfactory : in Bengal the law is strictly enforced, while in the Panjáb and elsewhere it is habitually broken with impunity, and newspapers are allowed to advertise and circulate proposals directly opposed to the provisions of the section of the Code cited. His Honor is of opinion that if these lotteries and race-sweeps are mischievous, they should be put down by law, instead of being allowed to develop themselves year by year; but that if they are considered to be a harmless amusement, the prohibitory clause in the Penal Code should be repealed, and lotteries should not be discouraged. His Honor himself considers them exceedingly mischievous.

2. The Government of India concur with His Honor's opinion as to the mischievous character of the lotteries and race-sweeps advertised, and believe that the mischief is year by year assuming greater dimensions. As the intention of the law on the subject is clear, and as its provisions were intended to operate in one province as much as in another, the Government of India consider that the law should be uniformly enforced. Local Governments and Administrations are therefore requested to enforce the law after giving due notice thereof by publication of this resolution in their several official *Gazettes*.

Nos. 5-181-189, dated 31st May 1882.

The attention of the Governor-General in Council has recently again been dra [illegible]

through inadve [illegible] Department Resolution No. 329 of the 1st November 1877. The Government of India retain the opinion there expressed, that the practice in question is distinctly mischievous, and one to which no encouragement of any kind should be given by Government. I am accordingly directed to request that all applications for permission to hold lotteries may be in future invariably refused.

India's No. 329, dated 21st September 1885.

The publication in British India of proposals relating to lotteries to be held beyond British India constitutes an offence within the meaning of section 294A of the Indian Penal Code.

LUNATICS.

Lunatics. Detention of supposed—while under observation.

G. O. No. $\frac{1573}{VI-400B}$, dated 18th June 1890, and G. O. No. $\frac{2082}{VI-400B}$, dated 9th August 1892.

1. THE following are the places of detention for supposed lunatics detained under section 6A, clause (3) of Act XXXVI of 1858, as inserted by Act XVIII of 1886 :—

(1) the lunatic asylum in the districts of Agra, Bareilly Benares and Lucknow:

(2) the district jail in all other districts, except (*a*) Ballia, (*b*) Garhwál, (*c*) Pilibhít and (*d*) Taráí;

(3) the Gházipur district jail, for lunatics from the Ballia district;

(4) the Bareilly lunatic asylum, for lunatics from Pilibhít and the Taráí in the Naini Tal district.

(5) the dispensary at Srinagar for lunatics from the Garhwál district.

2. Magistrates and Superintendents of jails and lunatic asylums are reminded of the provisions of the above section, which do [illegible] lunatic for the purpose of [illegible] teen days from the date on [illegible] tention for that purpose is made.

3. When a supposed lunatic is detained in a jail, the Superintendent will make the best arrangement possible for his care and treatment. He will keep him apart from the prisoners.

4. The above rules 1 and 3 apply to accused persons who are believed to be of unsound mind and incapable of making their defence.

5. At the time of arrest of any lunatic, and prior to, or as shortly after, his despatch to an asylum or jail for observation as is practicable, the Magistrate should cause a local inquiry to be made through the police, or such other agency as may be available, in regard to the past history of the lunatic, so far as this can be ascertained; as to the capability and willingness of his relatives or friends to take charge of him; and in the case of a lunatic detained under Act XXXVI of 1858, or accused of one of the offences under the Penal Code noted on the margin, as to the capability of his relatives to contribute to his support in an asylum.

Section 379.—Theft.
Section 380.—Theft in a building, tent or vessel.
Section 451.—House-trespass in order to the commission of theft.
Section 453.—Lurking house-trespass.
Section 454.— Ditto ditto in order to the commission of an offence punishable with imprisonment.
Section 456.—Lurking house trespass by night.
Section 457.— Ditto ditto in order to the commission of an offence punishable with imprisonment.

6. Whenever a lunatic is handed over to the Superintendent of a lunatic asylum or to the Superintendent of a jail by the Magis-
[illegible] abovemen-
[illegible] every fact
[illegible] o his mental
[illegible] made into
[illegible] eing handed
over has not been full and complete, he should cause a full inquiry to be instituted, and communicate its results to the officer to whom he was handed over, with as little delay as possible, in a supplementary report.

7 The lunatic should be considered a dangerous lunatic, until the officer to whom he was handed over (or in cases where the Superintendent of the jail is not a medical officer, the medical officer in charge of the jail) gives an opinion that he is harmless.

8. The officer to whom he is handed over is expected from time to time to give such directions as may be necessary for appropriately guarding him, and to give the necessary warning of any symptoms which indicate the approach of a violent fit, or otherwise render needful greater watchfulness. In case the Superintendent of the jail is not a medical officer, the medical officer in charge will be expected to perform the latter duty.

9. It is the Magistrate's duty to see that the period of detention of the lunatic under observation is made as short as possible.

[illegible] osed lunatics
[illegible] by the police
[illegible] the dispen-
sary, for observation and examination by that officer, the above rules shall, so far as possible, be observed.

Lunatics. Weekly report on—
Circular No 2, dated 20th January 1884.

[illegible]

G. O. No. $\frac{1278}{VI-1358}$, dated 11th June 1888.

The Government of India have laid down, in orders of 25th March 1876, that (1) persons suffering from the temporary results of sickness, intemperance, or debauchery ; and (2) those whom their friends can and ought to support, should not be admitted into public lunatic asylums : and also that persons partially insane and harmless, had, as a rule, better be left alone. The asylums in these provinces have now but a small margin of accommodation ; and it is necessary that, so far as is consistent with a sufficient regard to the public safety, the principles abovementioned should be carefully acted on by Magistrates of districts.

Despatch of lunatics to asylums.
Circular No 55, dated 6th October 1881.

WHEN forwarding a non-criminal insane to a lunatic asylum, Magistrates should adopt the form of order annexed, copies of which can be obtained at the Government Press, Allahabad.

When under the provisions of Chapter XXXIV, Act X of 1882, the Local Government directs that any lunatic be confined in a lunatic asylum, the Magistrate should furnish the Superintendent with particulars specified in the form.

Order for the reception of a lunatic under section of Act XXXVI of 1858.

THE undersigned__________, Magistrate of__________ __________, finds that__________ is a lunatic and a proper person to be detained under care and treatment, and directs, under section of Act XXXVI of 1858, that he be received into the lunatic asylum at__________.

Subjoined is a statement respecting the said__________.

The 18 . *Magistrate.*

STATEMENT.

1. Name of patient.
2. Sex and age.
3. Hindu or Muhammadan.
4. Caste.
5. Place, zila or province where born.
6. Whether first attacked: if not, how long subject to attacks of insanity.
7. Duration of existing attack.
8. Supposed cause:
   - *a.*—Whether fever or other serious illness preceded the attack.
   - *b.*—Whether attributable to over-indulgence in ardent spirits, or in bhang, ganja or similar drugs.
   - *c.*—Or in law-suits, loss of property, family quarrels, death of relations or similar events.
9. In cases where a patient is a wanderer and unknown, the circumstances which led to his arrest, and his subsequent conduct, to be stated.
10. Whether subject to epilepsy.

11. Whether suicidal.

12. Whether dangerous to others.

13. Whether any member of patient's family has been or is affected with insanity.

14. What treatment (if any) has been applied.

15. Whether the patient can either himself or by his relatives contribute anything towards his support while in the asylum.

Received into the ________________ Asylum, the ____________ 189 .

Inspected by the Visitors, the __________ 189 .

Remarks by Visitors.

Officers despatching lunatics to asylums are to take care that they are properly watched, clothed and fed on the journey, and that they are physically capable of bearing the journey.

Circular No. 1078A, dated 5th June 1862 (General). Circular No 12A, dated 5th May 1864 (General).

Superintendents of Central Prisons. Powers under sections 472, 473 and 474 of the Criminal Procedure Code.

G. O. No. $\frac{1192}{VI-576B}$, dated 23rd May 1890.

UNDER section 475B of the Code of Criminal Procedure [Act X of 1882, as amended by Act X of 1886 (section 12)], Superintendents of Central prisons in the North-Western Provinces and Oudh are empowered to discharge all the functions of the Inspector-General of Prisons under sections 472, 473 and 474 of the said Code.

Criminal Lunatics. Report to Government.

G. O. Nos. $\frac{98\text{-}99}{VI-274B}$, dated 15th January 1890.

THE principal occasions on which the papers of a criminal lunatic may come up for the orders of Government are—

For the first time—

(1) Under section 466, Criminal Procedure Code, when he is charged with an offence, but found incapable of defending himself.

(2) Under section 471, Criminal Procedure Code, when he is sane at the time when he came up for trial, but was found by the court to have been insane when he committed the offence.

(3) Under section 31, Act V of 1871, when a prisoner who was sane when sent to jail becomes insane during the period of his confinement.

On subsequent occasions—

(4) When a lunatic detained under section 466, Criminal Procedure Code, is reported to be able to stand his trial.

(5) When he is *reported* by the Visitors of an Asylum or the Inspector-General of Prisons as so far recovered that he may be *discharged* or made over to his friends without risk.

(6) When, *in the same* way, he is reported for further detention.

(7) When, after having been confined under section 466, *Criminal* Procedure Code, he is sent up for trial in the circumstances described above (4), and is reported by the court under section 471, Criminal Procedure Code.

(8) When he is reported again, under the second clause of section 31, Act V of 1871, as recovered, and fit either to be remanded to jail or to be discharged.

It is of the highest consequence, both to the lunatic and to the public generally, that, n forming a decision on such occasions, the information laid before Government should be as full and accurate as possible.

It is with the object of securing this that the following rules have been *drafted*. Of the three papers forming the lunatic's record, the Magistrate's summary will be in some respects the most important, *as it* will be nearest in point of time to the date of the commission of the offence. The mere fact that, because the decision is under *section 466*, Criminal Procedure Code, the Magistrate does not *formally* find that the lunatic has committed the offence, will not *render* superfluous such an account of the circumstances under which it was *said* to have been committed as can be found from the public *papers*, or other trustworthy sources

1. The complete record for every criminal lunatic shall consist of *three* papers: (1) the Magistrate's summary; (2) the medical history *sheet*; (3) the abstract from the case-book maintained at the institution in which he is detained.

2. The Magistrate's summary shall be submitted to Government *direct* (through the District Magistrate if the Magistrate trying the case is not himself the District Magistrate) when the case is *first* sent up for orders under section 466 or section 471 of the *Criminal Procedure Code*, and shall contain the following particulars, as far as they can be ascertained:—

(1) The name and sex.

(2) The village and district in which born.

(3) Crime with which he was charged.

(4) The section (466 or 471) under which the reference is made.

(5) Present age.

(6) Physical state.

(7) Type of insanity, harmless or dangerous, and probable cause.

(8) Duration of insanity, and has it been continuous?

(9) Is the person capable (*a*) of taking care of himself; (*b*) of earning a livelihood?

(10) Whether sufficient security is obtainable, and whether there are relatives able and willing to take care of him.

Two notes will be added:—

In the first the Magistrate will give a short abstract from the evidence which has come before him and from the police [illegible]

[illegible]

throw light on his frame of mind, and the ideas with which he was possessed at the time when he committed it, and any facts in his past history which may be of value in deciding on the course which should be adopted in regard to him.

In the second the Civil Surgeon will certify the facts that may have come to his notice while the lunatic was under observation, bearing on the nature and probable causes of his insanity.

3. When a prisoner is reported for transfer to an asylum under section 31, Act V of 1871, the Superintendent of the jail should furnish the statement prescribed in paragraph 5 of these rules.

4. The Magistrate's summary will be retained in the Secretariat, and a copy of it will, unless the lunatic be discharged, be sent with the orders of Government directing his detention, and will form a part of his record.

5. Whenever, on any subsequent occasion, the papers of a criminal lunatic are sent up to Government for orders, they will be accompanied by a medical history-sheet prepared by the officer in charge of the institution at which the lunatic is confined. It shall be in the following form:—

(1) Name and sex.

(2) Crime.

(3) Present age.

(4) Physical health.

(5) Probable cause of insanity.

(6) Type of insanity.

(7) Duration of insanity, and has it been continuous, giving dates?

(8) Has he at any time shown aggressive symptoms?

(9) If so, when and of what kind?

(10) If reported safe, how long since last manifestation of insanity?

(11) Is he subject to relapses? If so, give dates.

(12) Is he capable (*a*) of taking care of himself; (*b*) of earning a livelihood?

(13) How has he been employed while in asylum?

6. In every place where criminal lunatics are detained under the orders of Government, a case-book shall be kept up with one or more pages for each lunatic, in which the officer shall record from day to day as they occur, any points of interest in the history of the lunatic while he is under his charge. An abstract from this book detailing the chief events of his history while in detention, recorded opinions with dates regarding his mental condition while under observation, together with the opinion and recommendations of the officer in charge, shall form the third part of his record, and shall be submitted to Government with the medical history-sheet:

G. O. No. $\frac{3423}{VI-274}$, dated 8th December 1891.

Provided that when the half-yearly returns of lunatics confined in asylums or [illegible] [illegible]itted to Government it shall not be necessar[illegible] [illegible] of any lunatic unless s[illegible] [illegible], him or unless it is specially called for by Government.

7. Whenever a criminal lunatic is transferred from one place of detention to another, the Magistrate's summary shall be sent with him and it shall be accompanied by a medical history-sheet and abstract of the case-book, prepared by the officer in charge of the institution which he is leaving. But the fact that no such papers accompany him shall be no reason for refusing to receive him at the institution to which he has been transferred.

8. When a remand to jail under section 31 of Act V of 1871 is recommended, the Superintendent of the asylum will give specific reasons for thinking that this procedure is a safe one, having due regard to the medical history and length of unexpired sentence to run before final release from jail.

9. When further detained under Act XXXVI of 1858, and the case is brought before the visitors under section 9, or the Magistrate under section 10 of that Act, it will be the duty of the Superintendent of the asylum to furnish in writing all the details required in rule 5 for the information of the said Visitors or Magistrate, together with his own opinion of the safety of releasing the lunatic.

10. In the event of the lunatic having at any time exhibited a tendency to violence, it will be the duty of the Visitors or Magistrates, as the case may be, to satisfy themselves that a sufficient length of time has elapsed since such manifestation to render a recurrence improbable, and that the sureties are in a position to control the actions of the lunatic should it recur.

11. When a criminal lunatic has never exhibited any tendency to violence, and his crime has not been an offence against the person, or, if so, if it was of a trivial nature and not evincing a decided homicidal tendency, the Local Government will be mainly guided in passing orders under section 474, by the recommendations of the Visitors and of the Superintendent of the asylum, or of the Inspector-General of Prisons and Superintendent of jail if he is confined in a jail.

12. In any case when a lunatic who has been detained under section 466, is subsequently sent up for trial, a copy of his record shall be sent to the Magistrate or Court of Sessions by whom he is to be tried.

FORM I-A.

MAGISTRATE'S SUMMARY (RULE 2)

Name and sex.

Father's name.

Caste.

Age.

Born at

Resident at

Pargana.

District.

Charged under , Indian Penal Code.

Case referred for orders under , Criminal Procedure Code.

(1) Physical state.

(2) Type of insanity—Harmless or dangerous* and probable cause

(3) Duration of insanity and whether continuous ?

*This should invariably be stated specifically.

(4) Is the person capable—

(a) of taking care of himself?

(b) of earning a livelihood?

(5) (a) Is sufficient security obtainable, and are there any relatives able and willing to take care of him?

FORM I-B.

CIVIL SURGEON'S CERTIFICATE (RULE 2).

(To be annexed to Magistrate's summary.)

I, the undersigned, hereby certify that I have noticed the following facts which came to my notice while was under my observation.

FORM I-C.

MAGISTRATE'S ABSTRACT OF EVIDENCE.

FORM II.

MEDICAL HISTORY SHEET (RULE 5).

Name and sex.

Father's name.

Caste.

District.

Age.

Confined in ince

under Criminal Procedure Code, Act V of 1871,

Charged under Indian Penal Code,

Class.*

Government order with date under which confined.

Physical health.

Probable cause of insanity.

Type of insanity.

---

*A, B or C.—

Class A.—Criminal lunatics confined under section 466, Act X, 1882.

B.—Criminal lunatics confined under section 471, Act X, 1882.

C.—Criminal lunatics confined under section 31, Act V, 1871.

Duration of insanity, and whether continuous; giving dates.

Has he at any time shown aggressive symptoms?

If so, when and of what kind?

If reported safe, how long since last manifestation of insanity?

Is he subject to relapses; if so, give dates?

Is he capable—

(*a*) of taking care of himself?

(*b*) of earning a livelihood?

How has he been employed while in the asylum?

Recommendations.

FORM III.

CASE-BOOK (RULE 6).

Number in asylum register.	Name, caste and occupation	Sex and age.	Village pargana, and district	Section Indian Penal Code, under which charged	Class A, B or C	Date of admission	Date of discharge, transfer or death	Number and date of Government Order	
								For admission.	For discharge.
1	2	3	4	5	6	7	8	9	10

Date.	Medical History.	Treatment, diet, &c

Note —Four pages should be allowed for each case, on the first of which only this heading should be printed

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Harmless lunatics charged with petty offences.

G. O. No. $\frac{1515}{\text{VI—7[illegible]}}$, dated 27th July, 18[illegible]5 and G. O. No. $\frac{1[illegible]8}{\text{VI—274B}}$, dated [illegible] July 18[illegible].

WHEN a Magistrate reports, under section 466 or 471 of the Criminal Procedure Code, the case of a harmless lunatic charged with a petty bailable offence for whom no adequate security is forth- [illegible] ct the lunatic's release [illegible] charged with a petty [illegible] 54, 456 or 457 of the Indian Penal Code is reported, if there are no relatives legally

bound to support the lunatic, an order for release will usually be passed by the Government. It will then be open to the Magistrate, if he thinks it necessary, to deal with the case under Act XXXVI of 1858. In order that Government may be in a position to pass suitable orders in the cases of lunatics charged with petty non-bailable offences as above detailed, careful inquiry should invariably be made, and the following question, to be numbered 5(b) in form IA above, should be answered on that form:—

"Is there any person who is legally bound to maintain the lunatic and who has the means of maintaining him?"

Lunatics. Confinement of—
G. O. No. $\frac{360}{VI-222B}$, dated 22nd February 1889.

Dangerous criminal lunatics cannot be kept in jails: and such lunatics, therefore, will on report being made of their cases under section 466 or 471 of the Criminal Procedure Code or under section 31 of Act V of 1871 be ordered by Government to be sent to asylums for confinement in suitable wards.

Harmless criminal lunatics will be confined in Central Prisons. Report under section 31, Act V of 1871, should be made if the lunatic is in a District Jail, in view to his transfer to a Central Prison: and only in cases where special reasons exist should transfer to an asylum be asked for by the Superintendent. In cases of harmless lunatics reported by a Magistrate or court under section 466 or 471, Criminal Procedure Code, Government will (if necessary) order their confinement in the nearest Central Prison.

G. O. No. $\frac{3380}{VI-222B}$, dated 5th December 1891.

Female lunatics, who would under this rule be confined in the Bareilly Central Prison, will be sent to the Bareilly District Jail, as there is no accommodation for them in the Central Prison.

Criminal lunatics. Speedy disposal of—
Circular No. 2, dated 30th January 1881.

INSTANCES were recently observed in which criminal lunatics had been brought before the courts and orders had been passed by the Magistrate under section 466 or section 471 of the Code of Criminal Procedure for reporting the cases to Government; but these orders had not been carried out, and the lunatics had in consequence been left long in confinement. The responsibility for such neglect of duty rests with the presiding Magistrate and his subordinate officials: and care should be taken to prevent the occurrence of such cases.

Resolution No. 401, dated 6th August 1874, as amended by No $\frac{671}{VI-579}$, dated 8th April 1896.

Criminal lunatics confined under section 466 should, as soon as they are certified by the Inspector-General of Prisons, or Visitors, to be capable of making their defence, be brought to trial as provided in section 473 of the Act, and no orders are required from Government before doing this.

In the event of a criminal lunatic confined under section 31, Act V of 1871, becoming sane at any time before the expiry of his sentence, report should be made to Government with a view to his being remanded to prison. But if still insane when his sentence has expired, he should, although liable to be detained under medical care and treatment, cease to be shown as a criminal lunatic.

Non-criminal lunatics. Pecuniary liability of relatives of—
Circular No 21A, dated 12th October 1874 (General).

MAGISTRATES and Deputy Commissioners are to co-operate with Visitors in getting the relatives of non-criminal lunatics to contribute, when possible, to their support. The scale of payment has been fixed at Rs. 4 per mensem, but when a lunatic's relatives cannot contribute the full amount, they should be called upon to give half or even a quarter of it. These orders do not affect criminal lunatics. Section 15 of Act XXXVI of 1858 empowers the Magistrate who sends a lunatic to an asylum to compel, with the aid of the civil court, any one legally bound to maintain him, to pay for his maintenance in the asylum, or to realize the necessary sum from any estate possessed by the lunatic himself.

Circular No. 23A, dated 22nd May 1865 (General).
Circular No. 930, dated 27th September 1873 (Oudh).

European Civil lunatics
G G O. No. 579, dated 17th September 1875, (Home Department).
G G O No 5 225, dated 29th March 1877, (Home Department).
G G O. No 1323, dated 31st May 1859.

THE Government of India has directed that civil English lunatics should be in future despatched to Europe in June each year.

The fullest and most accurate information regarding the medical history and relations of every insane patient sent to England should be transmitted with him.

A statement showing the number of civil lunatics to be sent to England in the ensuing trooping season, for whom accommodation will be required, is submitted annually by the 1st June, by the Local Government to the Government of India in the Military Department.

LUNATIC ASYLUMS.

Lunatic Asylums. Visitors of—in the North-Western Provinces and Oudh.

Notification No. $\frac{1592}{VI-450B}$, dated 20th June 1890.

In supersession of all previous orders on the subject, and under the provisions of section 2, Act XXXVI of 1858, the following officers are appointed Visitors of the four lunatic asylums at Agra, Bareilly, Benares and Lucknow :—

1. The Commissioner.
2. The District Judge.
3. The District Magistrate.
4. The Superintendent of the Central Prison as Medical Officer.

Under the above section of the Act, the Inspector-General of Prisons, North-Western Provinces and Oudh, is also a Visitor *ex-officio* of all four asylums.

Lunatics. Disposal of—

Resolution No. $\frac{178}{VI-358B}$ dated 24th January 1890.

Section 9 of Act XXXVI of 1858 empowers three of the Visitors of any lunatic asylum, one of whom must be a medical Officer, to order the discharge of any person in the asylum; and it is desirable that this power, which provides a remedy for any mistaken action on the part of local authorities, should be put in action by the Visitors when cases which call for its exercise are brought to their notice. The attention of the Visitors of asylums is called to their reponsibility in the matter.

Distribution of lunatics

No. $\frac{1001}{VI-139B}$, dated 24th July 1888.

Superintendents of lunatic asylums will receive lunatics in future from specified districts (*i.e.*, ordinarily those nearest or most like in climatic condition), according to the subjoined list :—

Bareilly Asylum. Capacity at 50 superficial feet.		Agra Asylum. Capacity at 50 superficial feet		Benares Asylum. Caparity at 50 superficial feet.		Lucknow Asylum. Capacity at 54 superficial feet.
Male. Female Total 310 + 112 = 422		*Male Female. Total* 206 + 61 = 267		*Male. Female. Total* 231 + 79 = 310		*Male. Female Total.* 186 + 68 = 254
Bareilly	district	Agra	district	Benares	district.	To be reserved exclusively for lunatics from the Province of Oudh.
Naini Tal	ditto.	Jhánsi	ditto	Ballia	ditto.	
Almora	ditto	Jalaun	ditto.	Mirzapur	ditto.	
Garhwál	ditto.	Cawnpore	ditto.	Jaunpur	ditto	
Debra Dún	ditto	Etáwah	ditto	Azamgarh	ditto.	
Saháranpur	ditto	Aligarh	ditto.	Gházipur	ditto.	
Bijnor	ditto.	Muttra	ditto.	Gorakhpur	ditto	
Moradabad	ditto	Farukhabad	ditto.	Basti	ditto.	
Budaun	ditto.	Etah	ditto.	Allahabad	ditto.	
Pilibhit	ditto.	Mainpuri	ditto.	Fatehpur	ditto.	
Sháhjahánpur	ditto.	Bulandshahr	ditto.	Bánda	ditto.	
Muzaffarnagar	ditto.			Hamírpur	ditto.	
Meerut	ditto.					

Lunatics are to be sent from the districts named above to the asylum specified in the case of each (the Superintendent of the asylum being at the same time advised of their despatch), except where information has been received that the asylum is already full. When any asylum becomes full, the Superintendent will at once report the fact to the Inspector-General of Civil Hospitals: and the latter officer, in informing the Magistrates of the districts concerned, will instruct each Magistrate to which asylum he should send the lunatics of his district pending the receipt of further directions.

MAGISTERIAL WORK.

Part I.

Manner of recording dying declarations.

[*N.B.*—This Part does not apply to declarations recorded by a Magistrate under the provisions of section 164, Criminal Procedure Code.]

Dying declarations. Rules for recording— G. O. No. $\frac{405}{\text{VI—831B}}$, dated 22nd February 1892.

Dying declarations should, if possible, be written by the person making them. Such statements should be signed or marked by the declarant and attested by respectable witnesses.

Where a dying declaration is recorded by a police or medical officer, it should be recorded in full detail in the vernacular in the words of the declarant in the form of question and answer, and in the presence of respectable witnesses. It should then be read over to the declarant, who should affix his signature or mark to it. The accused or his pleader if present should be allowed to put questions to the declarant. The declaration when concluded should be signed by the police or medical officer recording it, who should also obtain the signatures of respectable witnesses. It should then be forwarded in a sealed envelope direct to the Magistrate who would ordinarily inquire into the case. If it can be avoided, no police officer who is engaged in the investigation into the case should be present when the dying declaration is recorded.

Part II.

Procedure to be observed in recording dying declarations.

For the Police.—The officer investigating a case in which a person has been seriously injured should, if there is any probability of his dying before he can reach a dispensary where his dying declaration can be recorded, at once himself record the declaration in the presence of two respectable witnesses, obtaining the signature of the declarant at the foot of the declaration. He should then, if a Magistrate is nearer than the nearest dispensary, call on him, preference being given to a stipendiary Magistrate to record the declaration, in the presence of the accused if possible. The injured person should then be removed to the dispensary.

The Court Inspector, on being warned that a dying declaration is to be taken, should at once go to the hospital with the police papers of the case, and, if possible, arrange for the attendance of the accused and his pleader.

For Magistrates.—The District Magistrate, or senior Magistrate present in the station, on receiving notice that a dying declaration is necessary, should at once himself proceed to take it, or depute some stipendiary Magistrate, if possible above the rank of tahsildar,

to take it. He should at the same time cause the Court Inspector to attend with the police papers of the case.

Every Magistrate on receiving an order or requisition to take a dying declaration from the District Magistrate or medical authority, respectively, must at once proceed to the hospital or dispensary to record the dying declaration. At the sadar he should wait for the Court Inspector, if there be time, before commencing to record the declaration.

For the Medical Authorities.—(A) At the sadar.—The Civil Surgeon, or the Assistant Surgeon in charge of the hospital, should at once call on the District Magistrate, or, in his absence, the senior Magistrate present at the station, to arrange for the record of the dying declaration of such persons as are likely to die and are in a fit state to make a statement.

If, in the opinion of the Civil Surgeon or Assistant Surgeon, there is no time to call on the District Magistrate or the senior Magistrate present at the station, the nearest Magistrate may be sent for to take the dying declaration, a stipendiary Magistrate being called if possible.

If, in the opinion of the Civil Surgeon or Assistant Surgeon, there is no time to call any Magistrate, he may himself record the declaration.

In cases where there is no time to call on the District Magistrate or senior Magistrate present at the sadar, he should be informed of the action taken

(B) At outlying dispensaries.—The Hospital Assistant in charge of an outlying dispensary should at once call on the Tahsíldár, or, in his absence or when he has no magisterial powers, the nearest Honorary Magistrate, to record the dying declarations of such persons as are likely to die and are in a fit state to make a statement.

If there is, in his opinion, no time to call on the Tahsíldar or an Honorary Magistrate, he may record the dying declaration himself.

Confessions and statements made by accused persons. Recording of—under section 164 of the Criminal Procedure Code

G. O. No. $\frac{412}{\text{VI}-1728}$, dated 2nd March 1882.

THE attention of all District Officers in the North-Western Provinces and Oudh is invited to section 164 of the Criminal Procedure Code, and it is requested that they will impress upon the Magistrates subordinate to them the necessity for a careful and intelli- [illegible]

[illegible]

the subordinate Magistracy has been frequently animadverted upon

by the High Court, and is one of the causes which has led to the discredit of confessions recorded immediately after the arrest of persons accused or suspected of offences.

Section 164 requires that no Magistrate shall record a confession unless, upon questioning the person making it, he has reason to believe that it will be made voluntarily. The obligation thus laid upon the Magistrate before whom an accused person is brought [illegible]

[illegible] ot been subjected to improper influences of any kind, and that the statement he is about to make will be his own free and spontaneous statement. It frequently happens that the recording Magistrate, though he may have duly questioned the prisoner for the above purpose, makes no memorandum of the fact. His Honor therefore desires that, in addition to the memorandum prescribed by the section, the Magistrate will in future record this fact, and also briefly state his reasons for believing the confession to have been made voluntarily. It is also very desirable that the police who [illegible] concerned in the investigation, or who have arrested [illegible] om the court while the latter is [illegible] ken down. A note that this precaution has been observed should also be made on the record.

G. O. No. $\frac{3368}{VI-172B}$, dated 31st August 1894.

It has been brought to the notice of the Government that in recording confessions under section 164, Criminal Procedure Code, Magistrates occasionally fail to make the memorandum required by that section The requirements of the Code in this respect should be strictly complied with by all Magistrates.

The printed form (in English and Vernacular) prescribed by the High Court for recording confessions under section 164 should, whenever practicable, be used.

Remands.

G. O. No. $\frac{412}{VI-172B}$, dated 2nd March 1889.

SECTION 167 of the Criminal Procedure Code, provides that a Magistrate to whom an accused person is forwarded under the circumstances therein mentioned may authorize his detention in such custody as he thinks fit for a term not exceeding 15 days; but it clearly contemplates that he should not exercise the discretionary powers so given him, and authorize the detention of an accused person *by the* [illegible] tention is reasonable and necess [illegible] d in terms by the Code [illegible] nting such detention. Judging from the frequent cases in which the superior criminal courts have animadverted upon the procedure of subordinate Magistrates under this section, His Honor cannot but that

that the detention of accused persons by the police is often authorized on insufficient grounds, and that the duty of requiring the police to show good and sufficient reasons why the accused should be returned to their custody is not properly exercised. For example, a remand for the purpose of enabling the accused to point out the place where stolen property is concealed is reasonable if the accused has voluntarily before the Magistrate offered to conduct the police to the spot. But it is unreasonable if no such offer has been made, and if the object of the police is really to induce him to make discovery. Remand, again, for the purpose of allowing the police to compare the prisoner's footprints with suspicious tracks, or under some circumstances of having him identified, would be raesonable. But remand for the purpose of enbling the police to [illegible] ture from him than [illegible] In general terms, [illegible] exception, and not [illegible] when the Magistrate believes that certain points in the case cannot be properly investigated unless the police are allowed the custody of the accused. In reference to the above remarks, His Honor desires to remind Magistrates that the primary place of custody of an accused person ordered to be detained under section 167 is the Magistrate's lock-up, and not with the police.

Age of Consent Act. Working of—
G. O. No. $\frac{1676}{VI-7208}$, dated 18th June 1891.

THE [illegible] Magistrates is invited to the provisions of Act X of 18[illegible] issued by Government. [illegible] pplied with the utmost ca[illegible] investigation which may be considered necessary under the provisions of section 202, Criminal Procedure Code, should be held by an experienced native Magistrate.

It is not probable that in these provinces complaints under the Act will be otherwise than rare. When such a complaint, however, is instituted, the provisions of sections 202 and 203, Criminal Procedure Code, should be carefully observed These sections of the Code empower Magistrates to dismiss the complaint without issue of process against the accused, if after examining the complainant they find that no offence has been committed, or if they [illegible] ering the result [illegible] they consider [illegible] The law should not, therefore, be put in motion against the accused, unless there are strong grounds for believing that the complaint is a *bonâ fide* one, and that it has not been instituted merely with the view of causing annoyance to the person accused.

Attention is drawn to the ruling of the High Court of Calcutta *in the* case of Queen-Empress *vs.* Guru Charan Dusadh. It was in that case held that no court or Magistrate had any right to order the medical examination of a witness without her consent, and that such an examination was an illegal and unjustifiable assault, for which damages might be recovered. Attention is also drawn to Circulars No. 17, dated 5th July 1889, and No. 18, dated 3rd September 1889, from the Inspector-General of Police, North-Western Provinces and Oudh, on the subject of the medical examination of persons in criminal cases. In cases, therefore, under Act X, 1891, in which the medical examination of the wife of the accused is considered necessary, her consent must first be obtained. The examination should then be invariably conducted by a qualified female practitioner where such practitioner is available.

Under section 352, Criminal Procedure Code, a Magistrate has the discretionary power of *inquiring into, or trying*, any particular case *in camera*. This power should be freely exercised in the above class of cases, whenever the position of the parties or other circumstances connected with the case render this course desirable.

Crime. Investigation of non-cognizable— G. O. No. $\frac{1324}{\text{VIII—576A}}$, dated 15th September 1892.

IN order to check the inconsiderate action of subordinate Magistrates in ordering the police to investigate non-cognizable cases, it should be a general rule in all districts that no orders should be issued *to the* police for the investigation of non-cognizable cases except through District Magistrates.

Check over delay in disposal *of cases* *G. O. Nos.* $\frac{\text{[illegible], 2353 and 2813}}{\text{VI—411B}}$, dated 23rd August 1890, 25th October 1893 and 19th September 1893.

THE cases dealt with by a Magistrate in which delay at some stage of the proceedings is likely to occur may be enumerated as follows :—

(1) Cases actually sent to a Magistrate (*chalán*) by the police under section 170, Criminal Procedure Code, for trial or inquiry.

(2) Cases of which a Magistrate takes cognizance—

(*a*) on a police *report, or*

(*b*) on complaint or *suo motu.*

The Magistrate *may or may not* send these to the police for investigation.

(3) Cognizable cases *of which the investigation* has been undertaken by the police, and which may eventually end in a *chalán* or in the submission of form B; also cases investigated by the police under orders of the Magistrate.

(4) Final reports by the police in cases in which form B is submitted owing to there being no sufficient evidence or reasonable ground of suspicion to justify the forwarding of the accused to a Magistrate.

In order to enable the District Magistrate to check delays in these cases, the following statements should be laid before him :—

Statement A.—A daily statement prepared by the Court Inspector to enable him to check the detention of under-trial prisoners and of witnesses, the duration of cases, the adequacy of sentences inflicted, and the propriety of discharges and acquittals.

Statement B.—A weekly statement prepared by the Judicial [illegible]

pending file of each subordinate court.

Cases in classes (1), (2) and (4) should invariably be entered in statement B. Cases of class (2) should be considered as pending from the date on which cognizance is taken of them by the Magistrate.

Specimen forms which may be modified if desired, are appended. Commissioners should examine the statements from time to time as occasion offers, in order to keep themselves acquainted with the state of criminal administration in each district.

In cases of class (3), the District Superintendent of Police is primarily responsible for any delay which may occur District Magistrates should from time to time examine the English register of crime kept up by the District Superintendent. A column (8A) has been added to that register by which the date of the termination of the police proceedings can be seen at a glance The Dis- [illegible] trict [illegible] the [illegible] the [illegible] r (2) [illegible] er in charge of the police station of the date of the Magistrate's order directing an investigation. The abstract should be circulated for the information of Magistrates in charge of sub-divisions.

[illegible] A little [illegible] g caused [illegible] ntion for unnecessary periods and their being compelled to follow officers about in camp.

STATEMENT A.

—————————— DISTRICT.

Daily report of convictions and acquittals of persons in cases decided on the day of 189 .

Name of police station.	Arrested by police.	Arrested by order of Magistrate.	No of crime register of station.	Arrived in court.	Name of prisoner.	Nature of offence.	Number of witnesses examined.		Sentence.	Name of court.	Number of previous convictions.	Remarks.
							On 3rd day	After 3rd day.				

REVERSE OF STATEMENT A.

Memorandum showing the number of under-trial prisoners in the Magistrate's lock-up on the day of 189 .

Number.	Name of court.	Number of prisoners.			Date of confinement of prisoner longest in lock up	Remark.
		Men.	Women.	Total.		
1	District Magistrate's court ...					
2	Joint Magistrate's court ..					
3	Assistant Magistrate's court,					
4	Deputy Magistrate's do					
5	Do. do. do.					
6	Do. do do.					
7	Honorary Magistrate's do					
8	Tahsíldár, sadr tahsíl ..					
9	Cantonment Magistrate's court.					
10	Sessions Judge's court .					
11	For transmission to other districts					
12	Convicted					
13	Civil court					
14	Lawaris					
	Total ..					

Court Inspector.

STATEMENT B.

Statement of criminal work in the district for the week ending

Name of presiding officer.	Number of cases for disposal			Decided during the week.	Balance pending	Details of pending cases				Date of institution of oldest case and of receipt of oldest report.	Number of decided cases deposited in the record-room.		Number of decided cases remaining to be sent to the record room.		Remarks.
	Pending at commencement of week	Instituted during the week	Total.			Pending less than one week.	Pending for two weeks and under	Pending between two and three weeks.	Pending over three weeks.		Decided before the beginning of the week.	Decided during the week.	Decided before the beginning of the week.	Decided during the week.	

Subordinate Magistrates. Supervision of the works of—
G. O. No. $\frac{2645}{VI-311B}$, dated 19th September 1893.

THE Government holds Magistrates of districts responsible for instructing subordinate Magistrates in their duty. When repeated failures of justice occur owing to mistakes in procedure or to the inability of the Magistrate to realize his position and functions, it is the Magistrate of the district who is to blame. A merely judicial attitude is often too readily assumed by junior European Magistrates. A Magistrate who sits in court to hold the balance, as it were, between two parties and to listen to, and record the substance of, the evidence on behalf of the complainant and that on behalf of the accused, reduces himself to the level of a reporter and entirely fails in his duty. A Magistrate is bound to use every endeavour to ascertain the guilt or innocence of the accused, to see that all necessary evidence bearing on the point is produced, and that the necessary questions are put to witnesses: the mere fact that counsel are employed in a case does not relieve the Magistrate from the obligation imposed upon him by sections 252 and 540 of the Criminal Procedure Code. A Magistrate has to satisfy himself before acquitting for want of proof that the sources of evidence have been exhausted, and to take all reasonable precautions that guilt does not go unpunished. This is just as much part of his duty as it is to take care that the innocent are not convicted. A Magistrate is bound to ascertain the truth, and this end will not be achieved by a Magistrate who leaves himself in the hands of the police or of the counsel on either side.

Inability to appreciate the relative heinousness of crime is a most serious fault in a Magistrate and one which, if not remedied, would render the withdrawal of all but third class powers necessary. The returns from many districts show that very inadequate punishments have been inflicted by Magistrates for the offences of false evidence, grievous hurt, rioting, cattle-theft, burglary by night, and unlawful possession of arms. The failure to award whipping for petty theft is a matter of common complaint, and sentences of simple imprisonment are commonly imposed by some Magistrates unchecked in cases in which the infliction of such a punishment is entirely inappropriate.

The reluctance of native Magistrates to make use of the provisions of section 349, Criminal Procedure Code, in the case of adult offenders has recently been brought to the notice of the Government. These Magistrates, when not empowered to pass sentences of whipping, should be instructed to bear in mind the discretion given them by section 349, and to refer all cases which call for punishment different in kind from, or more severe than, that which they are themselves empowered to inflict.

In examining the work of subordinate Magistrates, District Magistrates will note and report whether they do use the discretion given them by section 349 or fail to realise the responsibility imposed on them that crime shall be adequately punished.

Enquiry into important Sessions cases to be made by competent Magistrates—
Circular No. 10, dated 29th May 1883.

In a case that came before the High Court on appeal the following remarks were recorded by the presiding Judge:—

"I am constrained to animadvert upon a practice which is becoming far too common in these provinces by which the preliminary inquiry in cases of the most grave and serious nature is frequently entrusted to, or left in the hands of, Magistrates of little or no experience, knowledge or training."

The Lieutenant-Governor and Chief Commissioner desires to draw the attention of all District Magistrates to these remarks, and he requests that care may be taken not to leave the investigation [illegible] .nds of [illegible] This [illegible] n over [illegible] .istrict, and by exercising the power of transferring particular cases to other Magistrates than those who would ordinarily try them, when the importance of the cases or their nature seems to render such a transfer desirable.

Treatment of habitual criminals—
Circular No. 61A, dated 10th June 1878, and No. 1, dated 10th February 1879.

MAGISTRATES should give their most serious attention to the necessity of treating habitual criminals with as much severity as the law permits, due regard being paid to the character of the offences for which the previous convictions were obtained.

Extract paragraph 11, *Chapter IV of Report of the Jail Conference*, 1877.

11. We believe that Magistrates err in their manner of dealing with habitual offenders, partly from judicial timidity and partly because they do not perceive the immense difference which exists between a first and second conviction. In a very large proportion of cases the lesson taught by a first conviction is taken to heart; the sentence may not have been severe, but the ordeal through which the offender has to pass as he goes through the hands of the police officer, the Magistrate, and the jailor, terrifies and deters. But let there be but one further conviction, and the criminal is at once marked as one of the minority whom the ordinary terrors of the law do not deter, and as one who has given evidence of a disposition to live a life of crime. However light the character of the second offence may be, the reconvicted prisoner ought, we think, to stand in the eye of the Magistrate on a criminal level widely different from that of the offender sentenced for the first time. And the inference against the reconvicted criminal rises in a geometrical ratio with every conviction. But this is not the principle on which reconvicted offenders are dealt with. What- [illegible] does not seem to [illegible] victions follow one [illegible] with a timid hand, [illegible] ntirely trusts the

criminal to endure a jail existence. We could give any number of instances of the inadequate sentences on which we animadvert. All jail officers who take any interest in their work could supply some. But we feel that the matter is one for judicial authorities to deal with, and that we shall have discharged our duty by pointing out this chief weakness in the machinery of our criminal law. Still we would venture to express our hope—

(1) that steps may be taken to make the police machinery, by which previous convictions are made known to trying officers or courts, more effective; at present it often happens that an old offender is not recognized till he reaches the jail;

(2) that it may be inquired whether the sections* quoted in the margin receive due attention at the hands of judicial authorities, and whether we have or have not good grounds for our belief that offenders convicted more than once are too often quite inadequately punished.

*Section 75, Indian Penal Code.
Section 348, Criminal Procedure Code.

Habitual offenders. Punishment of—
G. O. No. $\frac{1324}{\text{VIII—576A}}$, dated 15th September 1892.

IT is frequently the case that insufficient attention is paid by subordinate courts to the provisions of section 348, Criminal Procedure Code, which requires habitual offenders to be ordinarily committed for trial to the Sessions Courts. The fault is as much that of the Magistrate of the district, who fails to supervise and control the action of his subordinates, as of the subordinate magistracy [illegible] them to Magistrates of di[illegible] required invariably [illegible] son convicted by them and liable to punishment under section 75, Indian Penal Code, is not an habitual offender, or to explain why, being an habitual offender, he has not been committed to the Court of Sessions for trial [or (in Oudh) placed on his trial before the Magistrate of the district].

Habitual criminals—
G. O. No. 4A, dated 16th January 1878.

ALL Superintendents of Jails should furnish Magistrates with monthly returns of criminals convicted during the month who have been punished before. The objects of the memo. are: (1) to enable Magistrates to see that the order regarding the endorsement of previous convictions on the warrant is properly carried out; (2) to furnish them with data sufficient to show that proper care is taken before conviction to identify habitual criminals; and (3) to show whether habitual criminals are properly punished or not.

The return ought to show the name of the convicting officer, amount of punishment, and date of decision in each conviction as far as these particulars can be traced in the jail records.

[illegible] it of India are issued for [illegible] indicated in paragraph

Sentences of simple imprisonment.

G. O. No. $\frac{1163}{VI-122C}$ dated 11th May 1893.

1. In connection with this subject it has been brought to notice that in one province at least it is a common practice for the courts to pass a sentence of simple imprisonment, not because a minor degree of moral turpitude is involved in the crime committed, but in view of the prisoner's presumed unfitness for labour. The Government of India believe that it is not the usual practice for the courts to take into consideration any question of the physical fitness of a convict to labour. It is for the jail authorities to ascertain what labour is appropriate to a prisoner's strength and to put him to that only; the courts have merely to consider the amount and nature of the imprisonment appropriate to the offence and the character and status of the offender, and they should realize that by selecting simple instead of rigorous imprisonment they make a very essential difference in the way in which a prisoner will be treated on his admission to jail.

2. The cases in which persons are sentenced to simple imprisonment for offences involving no moral turpitude must, the Government of India conceive, be very rare, as a fine is usually regarded as sufficient punishment for such offences. The only particular in which prisoners of this class might suitably receive special treatment—in addition to the indulgences which will, under the recommendations of the Conference of 1877, be granted generally to all persons sentenced to simple imprisonment—is the provision of separate accommodation in certain cases where confinement in association with other prisoners would be felt as a painful indignity. The Government of India think it reasonable that the Inspector-General of Jails in each province, acting on the advice of the District Magistrate, should have authority to direct that any particular person sentenced to imprisonment for an offence to which no moral stigma attaches, should, if he so desires, be provided with separate accommodation, apart from other prisoners.

Cases of this kind are likely to be few in number, and those [illegible] to the knowledge of the District [illegible] India will be glad if instructions [illegible] providing that any District Magistrate who becomes aware of such a case, either by petition or otherwise and considers that exceptional treatment in the matter of separate accommodation is desirable, shall refer the matter to the Inspector-General of Jails with his recommendation If both these officers agree, it might be left to the Inspector-General to pass the necessary orders, if they differ, the Inspector-General should submit the case for the orders of the Local Government

MARK RULES.

Mark rules.
Notification No $\frac{2075}{\text{VI—257B-2}}$, dated 20th July 1894.

THE following rules for the award of marks to convicted prisoners and for the shortening of sentences have been made by the Governor-General in Council in exercise of the powers conferred by section 59(5) of the Prisons Act of 1894 :—

1. For the purposes of these rules convicted prisoners shall be divided into three classes, *viz*—

I—thugs, robbers by administration of poisonous drugs, and professional, hereditary or specially dangerous criminals convicted of heinous organised crime, such as dakáiti ;

II—dakáits and other persons convicted of heinous organised crime who are not professional, hereditary or specially dangerous criminals ;

III—all other prisoners.

2. Every convicted prisoner whose sentence or aggregate of sentences, exclusive of any period awarded in default of payment of fine, amounts to one year or upwards, shall be eligible for marks under these rules : provided that, if such prisoner is under sentence of simple imprisonment, he shall not receive marks unless he voluntarily labours throughout the term of such imprisonment.

3. For the purpose of these rules a life-sentence shall mean—

25 years' imprisonment in the case of prisoners included in classes I and II ;

20 years' imprisonment in the case of all other prisoners.

4. The remission earned under these rules shall have the following effects, *viz.*—

(*a*) In the case of a prisoner included in class I—

if under life sentence, the period of remission shall shorten *pro tanto* the term of 25 years which must otherwise elapse before he becomes eligible for a self-supporter's ticket at the Andamans ;

if under sentence for a term of years, the period of remission earned shall be passed under such police surveillance as the Local Government may prescribe.

Explanation.—A prisoner included in class I and under sentence for life shall, at the expiry of 25 years, less remission earned, if he so desires and is capable of earning his livelihood, be transferred to the Andamans, irrespective of his age.

(3) special excellence of work;

(4) protecting jail officers from attack;

(5) assisting jail officers in case of outbreak, fire, &c.;

(6) economy in the wearing of clothing.

12. The Superintendent of a District Jail may award to the same prisoner not more than one hundred special marks for any one service or in any one quarter. The Superintendent of a Central Jail may in like manner award not more than five hundred special marks. When any number of special marks is awarded under this rule, a report thereof shall be made to the Inspector-General setting forth the grounds of the award. All proposals for the award of more than the number of marks above indicated must be referred to the Inspector-General, who will submit for the orders of Government any case in which he proposes to award more than one thousand marks.

13. Marks and remissions may be forfeited for misconduct, and prisoners may be temporarily or permanently removed from the mark system in accordance with the law for the time being in force regulating jail offences and punishments: provided that no prisoner shall receive marks for the day on which any offence is committed, and that the Superintendent may restore to the benefits of the mark system any prisoner removed therefrom.

14. The award of ordinary marks shall be made either by the Superintendent himself or, subject to his control and supervision, by the Deputy Superintendent, Jailor, Deputy Jailor, or any other officer specially empowered in that behalf by the Inspector-General. The award of special mark shall be made only by the Superintendent or Inspector-General.

17. Remission being thus earned in days shall be recorded in days in the Mark Register, and shall not be converted into months or years: provided that remission on account of the Queen's Proclamation or Jubilee, which was granted in months, shall be separately shown in months and not converted into days.

18. In converting marks into quarterly remission, any balance of marks which remains after dividing by 24 shall be carried forward to the next quarter. In converting marks into remission at the end of a prisoner's sentence, if there is a balance of 12 and upwards remaining after dividing by 24, it shall be considered equivalent to one day's remission; any smaller balance shall be disregarded.

19. In the first week of each month a list shall be made out of those prisoners who, on the supposition that they will earn their full ordinary marks during the intervening period, will be entitled to release in the course of the month next ensuing. This list shall be submitted to the Superintendent, signed by him and filed in the office. If the prisoner fails to earn the number of marks assumed in the list, or if from bad conduct he forfeits any of the marks already earned, the date of his release will be proportionately deferred; while if, on the other hand, he earns an additional number of marks, the date of his release will be proportionately advanced. As soon as he has earned such number of marks as entitles him to release, he shall, if otherwise eligible, be released by the Superintendent without further sanction or reference. The amount of remission finally earned shall be endorsed on the prisoner's warrant and the endorsement signed by the Superintendent.

20. When a prisoner is transferred from one jail to another, a record shall be sent with him showing the amount of remission and the number of marks which stand to his credit. Prisoners transferred from one jail to another, shall be awarded marks for conduct during the period spent in transit, but not for industry, by the receiving jail.

The following subsidiary rules made by the Local Government are published for general information :—

(A)—Explanatory of the mark rules.

1. The mark rules do not apply to persons detained in prison in default of giving security (section 123, Criminal Procedure Code).

2. With reference to rule 1 of the mark rules, in every case of a sentence (whether of transportation or of imprisonment for life or for a term) for dakaiti or other organised crime (except thagi or professional poisoning), the Superintendent of the Central Prison shall on the admission of the convict to jail, enquire from the

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15. The officer awarding marks shall, before making the award, consult the prisoner's work-sheet and history-ticket, in which every offence proved against the prisoner must be carefully recorded [illegible] oner on any day, it [illegible] marks for that day. [illegible] shall be recorded in the presence of the prisoners weekly, fortnightly, or monthly, as circumstances admit, and special marks shall be awarded as soon as possible after they have been earned. All marks shall be noted in the Mark Register, which shall be written up from the entries in the prisoner's history-ticket.

16. Every convict coming under the operation of the mark system shall be entitled to a remission of one day of his sentence for every 24 marks earned by him. Marks shall be converted into remission, and the actual remission earned shall be recorded quarterly in the Mark Register. The amount of remission earned quarterly by each convict shall be intimated to him by the Superintendent at the first weekly inspection after the close of each quarter.

17. Remission being thus earned in days shall be recorded in days in the Mark Register, and shall not be converted into months or years: provided that remission on account of the Queen's Proclamation or Jubilee, which was granted in months, shall be separately shown in months and not converted into days.

18. In converting marks into quarterly remission, any balance of marks which remains after dividing by 24 shall be carried forward to the next quarter. In converting marks into remission at the end of a prisoner's sentence, if there is a balance of 12 and upwards remaining after dividing by 24, it shall be considered equivalent to one day's remission, any smaller balance shall be disregarded.

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20. When a prisoner is transferred from one jail to another, a record shall be sent with him showing the amount of remission and the number of marks which stand to his credit. Prisoners transferred from one jail to another, shall be awarded marks for conduct during the period spent in transit, but not for industry, by the receiving jail.

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Magistrate of the district in which he was convicted whether he is a professional, hereditary or specially dangerous criminal.

NOTE.—" An organised crime" is a crime committed by one or more of a body of individuals organised for the commission of crimes similar to the one in question.

G. O. No. $\frac{2794}{\text{VI—2526}}$, dated 12th October 1895.

Explanation to rule 2 of the rules subsidiary to the mark rules.

Explanation.—The enquiry indicated in this rule should be made by the Superintendent in case of sentences under the following sections only of the Indian Penal Code, which have been selected as relating to offences which are ordinarily heinous and not unseldom committed by organized bands :—

124A. Conspiring to commit certain offences against the state.

147 and 148. Rioting, and rioting armed with a deadly weapon, *if more than* 10 *are convicted in the case concerned.*

All offences under Chapter XII, Indian Penal Code, relating to coin and Government stamps, except offences under sections 244, 245, 262 and 263.

370. Buying or disposing of any person as a slave.

371. Habitual dealing in slaves.

379. Theft (if of cattle.)|

384—389. Extortion and aggravations thereof.

392—394. Robbery and aggravations thereof, *if committed by a member of a caste or tribe known to be addicted to the crime.*

395—399. Dakaiti and aggravations thereof.

400—402. Belonging to gangs of robbers or dakaits.

411—414. Receiving stolen property.

428 and 429. Mischief to animals.

453—460. Burglary and aggravations thereof, *in cases where the sentence is not less than two years' rigorous imprisonment.*

471—476. Forgery if relating to promissory notes or currency notes.

3. The Magistrate shall determine the question by a reference to the record of the case, or by further inquiry if necessary.

4. The word "ordinary" where it first occurs in rule 15 refers to clauses (a) and (b) of rule 6. Marks under clause (c) should not be given unless an entry has been made in the history-ticket that this is to be done.

(B).—Regarding the conditional release of dangerous criminals.

Conditional release and surveillance of dangerous criminals.

5. In accordance with rule 4 of the mark rules the period of remission earned by—

(a) thags, robbers by administration of poisonous drugs, and professional, hereditary or specially dangerous criminals convicted of heinous organised crime, such as dakáiti, under sentence for a term of years;

(b) dakáits and other persons convicted of heinous organised crime, who are not professional, hereditary or specially dangerous criminals, whether under sentence for life or term—

shall be deducted from the sentence and shall be passed under police surveillance as hereinafter prescribed: provided that if the total remission earned does not exceed two months, the convict shall be released unconditionally.

6. At least one month previous to the release of such prisoner the Superintendent shall fill up an order in the form appended for the conditional release of the prisoner, and shall submit it direct to the Secretary to Government (Judicial Department) for orders. He shall at the same time inform the Magistrate of the district in which the prisoner's home is situate that he has done so, in order that the Magistrate may have time before the prisoner's release to decide the place where he will require under rule 10 the prisoner to reside.

7. If an order for conditional release is issued by the Government, the officer in charge of the jail shall deliver to the prisoner a vernacular translation of the order of release, and shall require him to execute the agreement on the back of the order. The Superintendent shall then sign a certificate that the agreement has been executed.

8. If the prisoner is not to reside in the district in which the Central Prison is situated after the release has been sanctioned under rule 7, the Superintendent will arrange for the transfer of the convict under police escort to the District Jail of the district where the convict is to reside, so that he may arrive in that jail at least one day previous to the probable date of release. The original order of release shall be sent with the convict. In other cases the prisoner will be released on the proper day by the Superintendent of the Central Jail.

9. On the day for release the Superintendent of the Central Prison or the Superintendent of the District Jail to which the prisoner has been transferred under rule 8 will forward the convict with a descriptive roll and a copy of the order of release (with date of release duly endorsed thereon) to the District Superintendent of Police or the Magistrate of the district, as the latter may by general rule direct. The original order of release will be retained by the Superintendent of the jail of release.

10. When [illegible]
of the district, t[illegible]
District Superin[illegible]
he shall reside for the period of remission, the times and places at which, and the officer to whom, he shall periodically report himself. [illegible]

11. A translation of the order of release and the order of the Magistrate or District Superintendent of Police shall be sent by the District Superintendent of Police to the officer in charge of the police station within the limits of which the released convict will reside, who shall enter the man's name at once in the register of conditionally released prisoners, No. 10B (appended).

12. The officer in charge of the police station shall ascertain from the chaukidár of the village concerned that the convict has taken up his residence at the prescribed place, and shall report to the District Superintendent of Police if he fails to do so within four days.

13. In the event of the released convict failing to take up his residence in the prescribed place, the District Superintendent of Police shall forward the desc[illegible] of his person, together with [illegible]
details of his crime, sentence [illegible]
in which he was imprisoned, [illegible]
date of release, for publication in the [illegible]

14. Convicts of class (*a*) shall ordinarily be required to report themselves at the police station in the jurisdiction of which they reside once a month, and convicts of class (*b*) once a quarter.

15. Except to make his periodical report, or for a few hours during the day to attend market or transact other business, or when summoned or sent up as a witness, a conditionally released convict shall not during the period of remission absent himself from the village within which he has been directed to reside without a pass granted by the District Superintendent of Police.

16. Convicts of class (*a*) shall not receive a pass for a longer period than 15 days, and convicts of class (*b*) for a longer period than one month at one time.

17. Any conditionally released convict applying for a pass shall state the places he proposes to visit, which shall then be entered on the pass.

18. Intimation shall be sent to the officers in charge of the police stations in the jurisdiction of which such places are situated, and the released convict shall be required to report himself to the police officers in charge of such stations and obtain their signatures on his pass.

19. Omission to present himself on the part of the released convict shall be at once reported by the police officer concerned to the District Superintendent of Police issuing the pass.

copy of the register (10B) relating to him shall be forwarded to the officer in charge of such station.

21. The register of conditionally released convicts (10B) will be maintained at all police stations in the form appended. Remarks as to character, conduct and occupation will be made once a month by the officer in charge of the police station in the case of convicts of class (a), and once a quarter in the case of convicts of class (b).

22. A
convict, and

the commission of a breach of the
at once apprehended by the police
and his case reported for the orders of the Magistrate, who may
either detain the convict i
ment, or, if he considers
vict's release. In any cas
tion of Government, which may direct that the convict's remission may be cancelled. The convict may thereupon, if he has been released by the Magistrate, be arrested without warrant by any police officer and remanded to undergo the unexpired portion of the sentence under section 401, Code of Criminal Procedure.

24. The Commissioner of Kumaun may, with the previous sanction of Government, permit such modification as he may find necessary in any of the rules in the districts of Almora and Garhwál.

Order for conditional remission of sentence under rule 4 (a) and (b) of the mark rules.

In exercise of the power conferred by section 401 of the Code of Criminal Procedure, 1882, the Lieutenant-Governor of the North-

Western Provinces and Chief Commissioner of Oudh is pleased hereby to remit, subject to the conditions hereinafter set forth, the remainder, *viz.*,————————of the punishment awarded to ————, son of————, caste————, and a convict at the Central Prison of————, No.———, at present undergoing a sentence of————inflicted under section————of————, which would expire on the————day of————189 .

The conditions which shall hold good during the period of remission are these :—

(1) that the said————————will reside within the district of————————at such place as the Magistrate of the district may from time to time direct, and will not go beyond the limits of such place without the permission of the Magistrate of the district, or of such officer as the said Magistrate may appoint in this behalf ;

(2) that he will report himself periodically at such time and place as may be prescribed by the Magistrate or District Superintendent of Police of the district in which he resides, unless the Magistrate of the district exempts him from making such report;

(3) that he will not commit in British India or in a native state any offence punishable by any law in force in British India;

(4) that he will not associate with notoriously bad characters or lead a dissolute life.

JUDICIAL (CRIMINAL) DEPARTMENT, } *Secy. to Govt., N.-W. P. and Oudh.*

The————————189 .

I hereby accept and agree to abide by the above conditions, which have been explained to me and which I fully understand. I acknowledge that should I fail to fulfil those conditions or any portion of them, I may be arrested by any police officer without warrant and remanded to undergo the unexpired portion of my original sentence.

(Signature or mark of the prisoner)

Certified that the foregoing conditions were read over to the prisoner and accepted by him, under section 401 of the Code of Criminal Procedure, in my presence.

Dated————————. *Superintendent, Central Prison.*

Certified that the prisoner was released on the day of 189 , at

Dated——————. *Superintendent,*——— *Jail.*

Register of conditionally released prisoners—No. 10B.

Name.	Parentage.	Caste	Original residence.	Description	Offence for which sentenced, and date and period of sentence.	Date of release.	Present prescribed residence, with orders as to the time and place at which the convict shall periodically report himself.	Name and residence of relations	Date and number of order of remission of sentence.	Date on which original sentence expires and the convict *is relieved from* reporting himself.	Date and hour of attendance for purpose of reporting	Periods of authorized absence from home, *number and date* of District Superintendent's orders	Remarks as to character, conduct and occupation [to be filled in in case of class (*a*) once a month, and in case of class (*b*) once a quarter].
1	2	3	4	5	6	7	8	9	10	11	12	13	14

POISONING.

Cattle.— Suggestions for suppression of—
G. O. No. 1102, dated 7th September 1881.

ZAMINDARS should be urged to withhold from the *chamars* skins of cattle which die under circumstances justifying suspicion of poison.

Magistrates should keep a vigilant lookout when deaths of cattle appear to be numerous—a circumstance which the chaukidar should be required to report.

The course by which the poison was procured should be traced. Severe sentences should be imposed in cases of conviction.

Cattle poisoning:
G. O. No. $\frac{1436}{VI-164C}$, dated 1st June 1893.

THE attention of Magistrates and police officers is invited to the following communication from the Chemical Examiner for the North-Western Provinces and Oudh as to a mode of poisoning cattle :—

"I wish to draw the attention of the police to a form of cattle poisoning that I believe has hitherto been unexplained.

"The other day a piece of dirty rag was sent me that was stated to have been placed in the rectum of a buffalo and to have caused its death. I was so fortunate as to find out that it was impregnated with snake poison. Since then I have met with several similar cases, and I hope that the police, when investigating cases of cattle poisoning, will kindly keep a lookout for objects of this nature, and in their reports state whether it was administered by the mouth or the anus. The latter seems to be the more general method. A piece of rag three or four inches square, smeared with a thin layer of a greasy substance like putty and of a dirty white colour, should be regarded as a suspicious substance when found in the house of the accused. In Chevers' Indian Medico-Legal Jurisprudence it is stated that several strange superstitions exist with regard to cattle poisoning; for instance, a piece of dirty rag has often been stated to have caused the death of the animal. In one case a piece of cleft bamboo was found in the rectum of a cow, and was stated to have been swallowed and, in passing through it, to have deranged its digestive system and so to have killed the animal. I think that in view of the above observation it is at least possible that the split bamboo had been used to aid the insertion of the poisoned rag. It should also be noted that snake poison is destroyed by the alcohol in which viscera sent to me for examination are packed; consequently I am unlikely to be able to discover the poison unless the rag itself is sent to me."

POSTMORTEM EXAMINATIONS.

Despatch of bodies for—

G. O. No. $\frac{874}{VI-73}$, dated 21st May 1885, as amended by G. O. No. $\frac{1709}{VI-73}$, dated 24th September 1885.

The High Court having brought to the notice of the Government a case in which there was confusion in the evidence, as to which of two dead bodies presented for *postmortem* examination at the same time was that of the person whose murder was charged against the accused: to prevent similar mistakes in future, the Lieutenant-Governor and Chief Commissioner is pleased to issue [illegible] procedure to be observed [illegible]d body to the civil medical [illegible] for the conduct of such examination by that officer:—

I.—Every dead body sent in for examination shall be accompanied by a police constable and a chaukidár from the thána nearest the spot where the inquiry has taken place. If the thána is over 20 miles distant from headquarters, the constable and chaukidár may be relieved at one or more intermediate stations; but the number of reliefs should be kept as low as possible.

II.—The name of the police constable and of the chaukidár and of the relieving constables and chaukidárs, if any, shall be always entered in Police Form No. 33.

III.—They shall be instructed by the thánadár sending in the body to make it over, on arrival at the police headquarters, to the civil medical officer after despatch of the usual requisition, but will remain in charge of the body until the medical officer has completed the examination.

IV.—Before commencing the examination, the medicial officer shall ask the police constable and the chaukidár whether the body to be examined is the body which they accompanied from the police station, and their replies shall form part of the civil medical officer's declaration.

V.—After the formal identification by the police constable and the chaukidár, the medical officer shall compare the body with the *kulta* or descriptive-roll sent from the police station, and he shall certify that the body about to be examined agrees with the descriptive-roll forwarded with it.

VI.—The greatest care and precision is enjoined on all police officers in describing the body; any marks or natural conditions by which it may be readily identified should be noted; and this descriptive-roll should contain particulars for identification distinct from any injuries that may be apparent.

VII.—The officer in charge of the station from which the body is despatched, instead of, as at present, sending both copies of the descriptive-roll with the police constable who accompanies the body, will send only one copy of the roll by the constable and forward the other by post to the officer in charge of the police headquarters.

G. O. No. 1495/VI—15B-88, dated 4th July 1889.

VIII.—The medical officer shall be furnished with a detailed translation of the police officer's report on the appearance and situation of the body when it was first discovered.

G. O. No 338A, dated 6th May 1865.
Police Circular No 19, dated 16th August 1861.

District Superintendents of Police are authorized to call on Civil Surgeons to make *post mortem* examinations.

G. O. No. 2929, dated 21st September 1893.

The following rules have also been laid down under section 174, Code of Criminal Procedure :—

1.—All dead bodies of which an examination is required by the police or judicial authorities sh[illegible] the district, except in the case [illegible] which bodies shall be sent to the [illegible]

†Added by G. O. No. 3577/VI—73, dated 26th September 1894.

(1) Mussoorie, Dehra Dún district.	(6) Lalitpur, Jhánsi district.
(2) Chakráta, ditto	(7) Chunár, Mirzapur district.
(3) Roorkee, Sahâranpur district.	(8) * Robertsganj, ditto.
(4) Karwi, Bánda district.	(9) Ránikhet, Almora district.
(5) Mau Ránipur, Jhánsi district.	(10) Mahoba, Hamírpur district.†

[illegible] Kumaun-Bhábar and Tarái [illegible] (a) to Haldwani from the [illegible] di, and from the parganas [illegible] harie, and (b) to Kashipur from the Bhábar tract lying west of the Bhábar nadi, and from the parganas of Kashipur, Bazpur and Gadarpur.

Notification No. 4357/VI—73 dated 20th December 1894.

2.—At headquarters of districts and at Mussoorie, Roorkee and Ránikhet, the officer in civil medical charge shall, as a rule, superintend personally and report on all *post mortem* examinations.

3.—At Chakráta, Karwi, Mau Ránipur, Lalitpur and Chunár *post mortem* examinations shall be conducted by the Assistant Surgeons in charge, and at Robertsganj and Dudhi by the specially qualified Assistants in charge of the branch dispensaries.

4.—At headquarters of districts, and at Mussoorie, Roorkee and Ránikhet, in the unavoidable absence or incapacity of the officer in civil medical charge, *post mortem* examinations may be made in cases of extreme urgency by an Assistant Surgeon, or in the case of

* Excluding thánas Khairwa and Dúdhi, bodies from which shall be sent to Dúdhi.

Mussoorie, Naini Tal, Almora and Ránikhet by the Hospital Assistant in charge of the dispensary.

5.—A subordinate medical officer making a *post mortem* examination in accordance with the provisions of rules 3 and 4 shall forward his report to the police or judicial authorities through the [illegible] n the report, if [illegible] and that the [illegible]

6.—A tabular statement shall be submitted in the appended form to [illegible] soon after the close of [illegible] what proportions *post mor*[illegible] been conducted during the year by the officer in civil medical charge and by a subordinate medical officer :—

Statement of post mortem *examinations conducted for judicial purposes during the year ending* 31*st December* 189 .

Locality.	Personally conducted by—				Remarks.
	Officer in civil medical charge.	Assistant *Surgeon.*	Hospital *Assistant.*	Total.	
1	2	3	4	5	6
Headquarters ...					
Outstations ...					
Total ...					

Date *Officer in civil medical charge.*

Medical officers. F[illegible] to—
India's No. 1370, dated 23rd June 1869, and No. 3050, dated 11th August 1882, and G. O. No. $\frac{354}{XD-4}$, dated 15th May 1888.

WHEN a medical officer other than a Civil Surgeon or medical officer of any grade in the civil employment of Government is called upon to make a *post mortem* examination, he should be paid a fee of Rs. 16 for the same. Should he be summoned to give evidence in the case in court, he is not entitled to any further remuneration beyond the ordinary travelling allowance of a witness.

For a medico-legal examination, other than a *post mortem* examination, the fee is Rs. 10 on the same conditions.

POWERS.

All Magistrates of the 1st class invested with certain—
Notification No. 1139, dated 19th July 1873.

UNDER section 37 of Act X of 1882 (Code of Criminal Procedure) all Magistrates of the 1st class are invested with the following powers :—

(1) To entertain cases without complaint (section 191).

(2) To issue process for a person within jurisdiction who has committed an offence outside Magistrate's local jurisdiction (section 186).

(3) To sell suspicious or stolen property (section 524).

(4) To make orders, &c., in local nuisance cases (section 143).

Investment of Magistrates with summary—
Notifications No. 2000, dated 24th December 1873, and No. $\frac{887}{VI-16}$, dated 17th May 1887.
G O No. 1563A, dated 14th December 1877.

ALL Magistrates of the 1st class who are or have officiated as Joint Magistrates, as also all Assistant Commissioners who are or who have officiated in the 2nd class of Assistant Commissioners are invested with powers to try summarily.

Summary powers are, as a general rule, given only after an officer has exercised 1st class magisterial powers for five years or has acted as a Joint Magistrate.

Divisions of districts.
Notification No. 907A, dated 8th June 1874.

UNDER section 8 of the Code of Criminal Procedure all tahsils are declared to be divisions of the districts in which they are situated.

Under section 13 of the Code of Criminal Procedure, the power vested in Government of placing in charge of divisions or districts Magistrates of the 1st or 2nd class is delegated to all Magistrates of districts.

Notification No. 908A, datd 8th June 1874.

Under section 37 of the Code of Criminal Procedure, the following class of officers is invested with powers to hear appeals from convictions by Magistrates of the 2nd and 3rd classes :—

All Magistrates of divisions of districts who are or who have officiated as Joint Magistrates.

All Magistrates of districts invested with certain—
Resolution No. 1150A, dated 31st July 1872.

THE Magistrate of the district has power under sections 37 and 8 of the Code of Criminal Procedure, 1882, to invest Magistrates subordinate to him of the 3rd, 2nd and 1st class, respectively, with [illegible] belonging to them by [illegible] Magistrates of districts [illegible]

(1) Under section 528, to withdraw from the Magistrates subordinate to them, whether in charge of divisions or not, such classes of cases as they think proper.

(2) Under section 13, to distribute business among their subordinates by localities.

All District Magistrates and all Subdivisional Magistrates, being Magistrates of the 1st class in the North-Western Provinces and Oudh, are invested, under section 37, Act X of 1882, with the powers described in section 110 of that Act, to take security for good behaviour from habitual offenders.

No. 478, dated 14th March 1883.

UNDER section 29 of the Code of Criminal Procedure, the Lieutenant-Governor and Chief Commissioner is pleased to invest the City Magistrate of Lucknow with power to hear appeals from convictions by Magistrates of the 2nd and 3rd classes.

City Magistrate, Lucknow. Appellate powers of—
Notification, dated 9th May 1879.

ALL applications for the investiture of Tahsíldárs with criminal powers above the 3rd class, should be presented to Government in its Judicial Department by the Board of Revenue.

Powers. Criminal. Applications for—to Tahsildars.

Resolution No. $\frac{1052}{\frac{16B}{433}}$, dated 17th June 1891.

THE subjoined form should be used in future in making recommendations for the grant of powers :—

Form of application.
G. O. No. $\frac{603}{VI-2A}$, dated 21st March 1887.

Application for conferment of powers.

Officer's name and designation.	Examinations passed, quoting notifications.	Highest powers hitherto exercised, quoting notifications.	Powers proposed to be given.	Grounds of recommendation by district officer.	Remarks by Commissioner.

PRISONERS.

Procedure in despatch of—
G. O. No. 2211, dated 9th May 1854.

When Magistrates have occasion to forward a prisoner from their own to another district, they should invariably transmit, either by dák or with the chalán, a rubkár or letter containing a distinct statement of the order in furtherance of which the despatch is made.

Support of children of convict mothers.
Circular No 9A, dated 16th April 1864 (General).

Children in arms and under two years of age should remain with their mothers. Children of or beyond that age should not under any circumstances be allowed to accompany their mothers to jail or remain with their mothers in confinement.. The Magistrate of the district of which the prisoner is a resident is charged with the duty of arranging for the proper care of such children. If any relative be willing to take them, they should of course be made over to him; and if the father can provide for the child he [illegible]uld be compelled to do so under section 488 of the Criminal [illegible]

the child in some institution or by entrusting it to some [illegible] person to bring up. Charges on this account, countersigned by the Commissioner, should be included in the judicial contingent bill of the Magistrate.

Promises not to be held out to—without authority.
Circular No. 6A, dated 19th February 1866.

No Magistrate has the right to bind Government to a remission of sentence, as he virtually does by promising representation in the favour of a prisoner, without authority specially obtained beforehand.

Subsequent convictions of charged—
Circular No. 6A, dated 18th March 1876.

In all cases of convictions, Magistrates should note on the warrant committing a prisoner to jail whether he has been previously convicted; and, if so, of what offence. In many cases the fact of previous conviction can be ascertained without much difficulty; and as habitual criminals form a distinct class, and are subjected to special treatment, it is important that every facility should be afforded to the jail authorities of recognizing such offenders as come under the definition of habituals.

Dangerous characters.
No. 63, dated 30th May 1879.

Whenever a Magistrate forwards any convict or under-trial prisoner of desperate character or notorious criminality to the Superintendent for confinement in jail, he should not fail to draw his particular attention to the prisoner's antecedents, and to the expediency of providing special measures for his secure custody.

Rules for release of female—Resolution No 537A, dated 3rd April 1873.

At least a fortnight before the date of the release of a female prisoner, the Superintendent of the jail should send intimation to the Magistrate, who should summon some one or more relatives of the woman to receive her at the jail door. If no one is present to receive her on the day of her release, the Superintendent shall, if she wishes it, retain her at the jail for a few days till her relatives come. In making these arrangements the Superintendent must exercise a careful discretion according to the age and appearance, as well as family and respectability of the woman in each case.

Resolution No 850, dated 2nd July 1875.

Every female prisoner transferred to a central jail shall, on the expiry of the period, be released at the gate of the prison and sent in charge of a jail official to the railway station, from which she will be conveyed by train to the station nearest her home; a free ticket and the usual subsistence allowance being given to her. Timely information shall also be sent, by the Superintendent of the jail to the Magistrate of the district in which she resides, in order that he may inform her relatives beforehand of the date of her release.

In cases where there is no railway communication to the prisoner's home, or where the nearest station is at a considerable distance from her home, it is left to the discretion of the Jail Superintendent [illegible]. This should [illegible] ases it will be ordinarily [illegible] gate, the usual subsistence money being allowed her and due intimation being given.

Prisoners' Testimony Act. Rules under the—No. 466, dated 22nd April 1879.

The following extracts from the rules under Act XV of 1869 are here reproduced for the guidance of the courts:—

A.

I.—The duty of escorting prisoners to and from the court in which their presence is required shall be performed by the police.

II.—The strength of the escort will be as follows on ordinary occasions:—

One prisoner	2 constables.
More than one and not more than six...	4 constables.
From six to ten	1 head constable and 4 constables.

Should the number of prisoners to be escorted exceed ten, the strength of the guards may be increased in proportion.

III.—If escort is required of any notorious criminal, a special guard will be supplied.

* * * * * *

Amount to be allowed for the cost and charges of the escort.

VII.—In the case of prisoners whose testimony is required in criminal trials, no charge shall be made by the Police Department on account of the dieting of the prisoner during his retention in the custody of the police guard, or on account of any travelling expenses incurred by the guard for their own journey or that of the prisoner to and from the court concerned. All charges of every kind arising from the convey [illegible] courts will be defrayed by the [illegible] be in the competency of any [illegible] summon any prisoner if the court is not satisfied that his evidence is necessary in the interest of public justice, and if the complainant or defendant applying for the said prisoner's examination before the court fail to deposit the estimated costs of conveying the prisoner to and from the court. These costs shall be calculated on the scale hereinafter laid down in the case of civil suits; and if on examination of the sa [illegible] evidence was not re [illegible] deposited costs shall, [illegible] the hand and seal of the court, be forwarded to the District Superintendent of Police of the district in which the court is held, and the money will be credited according to instructions to be issued by the Inspector-General with the sanction of the Local Government.

VIII.—In civil suits (including also all rent suits and all proceedings arising in the execution of decrees) the court shall require any party to the suit, who may apply for the summoning of any prisoner under this Act, to deposit prior to issue of the summons, a sum sufficient to defray the estimated costs of conveyance, diet and escort of the prisoner whose testimony is required:

Provided that no costs shall be demanded from pauper judgment-debtors in jail who have applied to be declared insolvent under section 344 of Act XIV of 1882, and whose attendance is required in the civil court in accordance with section 350 of that Act, when the court is satisfied that they are absolutely unable to pay.

Such cost shall be calculated as follows:—

(a)—*Conveyance.*—As in rule VI.

(b)—*Diet.*—At the rate of two annas *per diem* for each day during which the attendance of the prisoner will probably be required, inclusive of the days passed in the journey to and from the court.

(c)—*Escort.*—All charges necessarily to be incurred by the police guard in travelling expenses, such as railway fares,

if the prisoner is to be conveyed by railway, and the pay of the escort from the date of the prisoner's delivery into their custody to the date of his return to the jail in which he is confined, *viz.*, constables 2 annas and 8 pies *per diem*, and head constables 5 annas 4 pies *per diem*.

The money thus deposited shall be paid over by the court to the District Superintendent of Police as provided in rule VII.

* * * * * * *

D.

Exemption.

XI.—His Excellency the Governor-General in Council exempts from the application of the Act all state prisoners confined by order of Government.

No. 362, dated 3rd April 1880.

The above rules shall, so far as they may be applicable, be observed in the cases of prisoners who are sent for to answer charges made against them, as well as in the cases of prisoners who are sent for to give evidence in criminal trials.

In both classes of cases the Police Department must bear the cost of dieting the prisoners and of conveying them to and from the court which requires their presence.

As prisoners summoned to answer charges are sent for in the interests of public justice, the provisions of section 7, which authorize the court to require in certain cases a deposit to cover the expenses of procuring the attendance of the prisoners, do not apply to the cases of prisoners sent for to answer charges.

"Habitual criminal." Meaning of—for jail discipline. India's Resolution No. $\frac{27}{1504-14}$, dated 14th December 1886.

"For the purposes of jail discipline, the words 'habitual criminal' shall mean a prisoner so classed—

(1) by Court or Magistrate that heard the case—

(a) because he has been convicted of an offence punishable under chapter XII or XVII of the Indian Penal Code with three years' imprisonment or upwards, and has been previously punished on conviction for an offence under either of these chapters and similarly punishable; or

(b) because, from the circumstances of the case, the Sessions Judge or Magistrate believes the prisoner to depend on crime as a means of livelihood, or to have attained such an eminence in crime as to warrant his being classed with habitual or class B criminals.

(2) By the District Magistrate, or any Magistrate empowered by him on this behalf, the classification being made in accordance with the principles suggested for the guidance of the courts in clauses (a) and (b) of this definition.

(3) Subject to the control of the District Magistrate by the officer in charge of the jail, when the prisoner is—

(a) sentenced or believed to be liable to punishment under section 75 of the Indian Penal Code;

(b) under sentence enhanced by reason of more than one previous conviction; or

(c) known to be repeatedly imprisoned for similar offences; or

(d) a member of a criminal tribe.

Provided that—

(1) any such court or Magistrate as is mentioned above may direct that a prisoner shall not be classed as a habitual criminal, and

(2) when there is room for doubt whether a prisoner should be so classed or not, the officer in charge of the jail shall refer the case for the orders of any such court or Magistrate."

Explanation.—The classification when made by the convicting court shall be final. If the courts omit to classify a prisoner as an habitual, the District Magistrate or any Magistrate empowered by him may do so. In case of omission on the part of the court and of the Magistrate, the officer in charge of the jail may make the classification, subject to the general control and supervision of the District Magistrate.

Discharged military convicts.

G. G. O. No. $\frac{19}{1242}$, dated 30th August 1863.

ALL military convicts in civil custody who were not enlisted in this country and whose discharge from the army is ordered either on conviction or subsequently, shall, immediately on release from jail, be provided by the civil authorities with an outfit on the following scale, namely:—

Pilot coat	1
Cloth pantaloon	1
Flannel drawers	2
Flannel banians	2
Duck frock	1
Duck pantaloons	2
English boots	1 pair.
Straw hat	1
Check shirts	3

Pillow	1
Towels	2
Socks	2 pairs.
Country blankets	2
Canvas bag	1
Balls of thread	6
Needles	1 dozen.
Tin plate	1
Tin pot	1
Spoon	1
Balls soap	2 or 1 seer.
Necktie (cotton)	1
Comb	1

As regards passage to England, arrangement shall be made, under the orders of the Local Government, for the grant of free passages to such convicts at whatever time in the year their release may take place. The conveyance of such convicts in troopships is not permissible, but the entire expenditure incurred on account of conveyance will be treated as a charge against the Military Department.

Military convicts Outfit and free passage to discharged— G. O. No. $\frac{\frac{588}{6B}}{VI-395}$, dated 15th March 1893, and G. O. No. $\frac{2605}{VI-231C}$, dated 15th September 1893.

THE following are the rules for regulating the procedure to be adopted in providing outfits and a free passage to England for discharged military convicts in accordance with the above orders :—

1. If the Superintendent of the jail, where a European military convict is confined, has not already received information as to whether the convict (*a*) was enlisted out of this country, (*b*) has or has not been discharged from the Army, he should, at least two months before the date of release, make inquiries on these points from the officer commanding the corps to which the convict belonged.

2. Two weeks previous to the release of a military convict of the class [illegible] be granted, he shall be taken [illegible] act for execution in duplicate [illegible], Act IX of 1874 (the European Vagrancy Act), to proceed to Bombay, there to embark for England. If the convict refuses to sign the agreement, he should be warned that he will be dealt with under the European Vagrancy Act if after release he is found asking for alms or wandering about without any employment or visible means of subsistence.

3. After execution of the agreement the Magistrate of the district shall address the Commissioner of Police, Bombay, giving a description [illegible] able date of [illegible] scribed outfit [illegible]

4. On the release of the prisoner he shall be given by the Magistrate of the district a railway ticket to Bombay, with subsistence allowance for the journey, and a letter, explaining who he is, to the Commissioner of Police, Bombay.

5. The Superintendent of the jail in which the prisoner has been confined will furnish him with such a suit of clothing in which to travel to Bombay as will not call attention to the fact that the wearer is a released convict.

6. The released convict shall be put into the train for Bombay and warned of the penalty (six months' imprisonment) to which he is liable (under section 21, Act IX of 1874) if he fails to embark at Bombay. In order to ensure his arrival at Bombay and to bring back the clothes that were provided for the journey, he will be accompanied by a jail official, though he will not be in the custody of that officer.

7. The cost of conveyance by railway from the place of release to Bombay, including the subsistence allowance for the journey, will be debited by the Magistrate of the district in the separate schedule of payments on account of the Military Department: *vide* chapter 25, article 505 and form 67, Civil Account Code.

8. Nothing shall be paid by the Magistrate to the ex-military convict in respect of his outfit or passage money, for which arrangements will be made by the Bombay Government, which will also give him on behalf of this Government a gratuity of £1.

PRISONERS UNDER TRIAL.

Diet, &c., of—No. 673, dated 25th March 1882.

AT every place other than the sadar station where prisoners are produced before a Magistrate it is the duty of that Magistrate to see that proper arrangements are made for the diet of the prisoners, for their protection from inclement weather, and for their conveyance to the next lock-up or to the jail, as the case may be. This is a matter that can easily be arranged by the Magistrates with the police officer who has charge of the prisoners.

Magistrates and District Superintendents of Police should see that prisoners confined in the lock-ups of police stations are properly fed and tended. At all station lock-ups blankets should be supplied during the cold season for the use of insufficiently clad prisoners, and the officer in charge of prisoners who are in attendance in a Magistrate's camp should also have blankets supplied to him for the same purpose.

Prisoners in fair health will not suffer by marching on foot for ... se condition if supplied ... rocured in camp and on ... e of health may not be ... t, and are likely to suffer ... table for men in strong health. It may be necessary to provide such prisoners* with carriage and to give ... l on the road. There need ... for this, and the Magistr... olice must see that they are made when necessary.

Any expenditure that may be incurred in carrying out these instructions can be adjusted in the ordinary manner; and all judicial and police officers should exercise a proper supervision over the treatment of under-trial and other prisoners who have not yet been committed to jail. It is occasionally necessary that

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* ... sickly ... before ... ld have ... r. The meal of dal and ...

Rice	8 chittacks.
Dál	2 ditto.
Ghí	½ chittack.
Salt	100 grains or ½ tola.

The "*kichri*" should consist of—

Rice	6 chittacks.
Dál	½ ditto.
Ghí	½ chittack.
Salt	100 grains or ½ tola.

The milk given should be pure and fresh, and the *dál* and rice or "*kichri*" must be thoroughly cooked.

prisoners should be sent out to a camp and that they should follow the marches of a judicial officer. But this should not be done simply with the object of disposing of cases expeditiously. The convenience of the witnesses and the condition of the accused
when possible, it is preferable
ing them while the Magistrate
day, subject the accused to
hardships and exposure.

Ration to be given to under-trial prisoners.
Circular No. 1040, dated 22nd October 1878.

DIET should invariably be given to under-trial prisoners, whether detained in the sadar lock-ups or in the lock-ups of police stations or elsewhere, in accordance with the scale laid down for non-labouring prisoners in paragraph 826 of the Jail Manual.

This paragraph should be thoroughly explained to police officers and others who have charge of these prisoners.

Wheat flour may be given daily when the cereals cannot be varied in accordance with the scale without inconvenience.

The instructions contained in the following letter of the Commissioner, Fyzabad, are also approved :—

Circular No. 1100, dated 19th December 1878.

Copy of a letter No. 3284, *dated* 14*th November*, 1878, *from the Commissioner, Fyzabad Division, to the Deputy Commissioner, Fyzabad.*

If prisoners detained in police station lock-ups and prisoners
rance, the
the prac-
lock-ups?
the price-
purchase
accounts
vide the
prescribed diet to the prisoners.

I do not see any objection to this practice, or that it is really at variance with the rule laid down. The district officer should periodically fix what cash allowance is sufficient to cover the price of—

8 chittacks 2nd quality flour,	6 chittacks firewood,
2 chittacks dal,	1 chilli,
5 mashas ghí,	100 grains salt,

and the police should arrange for the supply of the above through

a local bania and charge the uniform rate in the accounts submitted. Frequently prisoners who are only detained one or two days in mufassil lock-ups will no doubt prefer to have dry food, [illegible] case I think [illegible] [illegible]ght be given; [illegible], they should certainly be allowed to do so, and I do not see, considering the small number of prisoners that are usually in mufassil lock-ups at the same time, that their being allowed to cook their own food need increase the risks of escape.

Diet money to indigent under-trial prisoners on release.
G. O. No. $\frac{1894}{VI-932B}$, dated 30th July 1892.

In future under-trial prisoners released on discharge or acquittal at long distances from their homes shall, if destitute of means, receive diet money on the following scale :—

(*a*) six pies per diem for distances up to 40 miles from the place of release, 20 miles being considered a day's march ; and

(*b*) one anna per diem where the distance is greater, 15 miles being considered a day's march ;

(*c*) females will receive double the above rates ;

(*d*) nothing should be allowed if the distance is five miles only.

Under-trial prisoners.
G. O. No. $\frac{19}{VI-640B}$, dated 4th January 1893.

District officers should take steps to secure, as far as possible, that under-trial prisoners shall not be kept at the courts subordinate to them so late as to necessitate their admission to jails and lock-ups after lock-up time.

PROCESSES.

Summons of Government or railway employes.

G. O. No. $\frac{1032}{VI-143B}$, dated 22nd May 1888.

An impression prevailing at some places has been brought to notice that section 72 of the Code of Criminal Procedure justifies any person employed in the public or the railway service in refusing, under all circumstances, to attend a court unless he has received a summons through the head of his department.

It should be observed that there are two different processes by which attendance at the criminal courts may be enforced. Section 170 of the Code applies to cases in which the police have power to investigate, and provides that a police officer, when he forwards an accused person to a Magistrate, or takes security for his appearance before such Magistrate, is to require the complainant, if any, and so many of the persons who appear to him to be acquainted with the circumstances of the case, to execute a bond to appear before the Magistrate and prosecute or give evidence. In this case no reference to the head of the department, in which the person from whom the bond is taken serves, is either required by the law, or, ordinarily possible.

Section 72 of the Code, on the other hand, applies only to a summons, properly so called, issued by a Magistrate: and in no way justifies a person in Government or railway employment in neglecting to attend when required to do so by the police under section 170 of the Criminal Procedure Code.

Subordinate employés should be instructed to this effect, and should be ordered in all cases, where their attendance is required under section 170 by the police, at once to give intimation of the fact to their superior, so that the steps necessary for the despatch of business during their absence may be taken.

PROSECUTIONS.

No press prosecutions should be undertaken by any department on account of imputations made against official acts without the express sanction of Government.

—of the press.
Resolution No. 1356A, dated 14th September 1872.

No Magistrate shall institute criminal proceedings against any Deputy Collector, Tahsíldár or other revenue officer, who may also be employed as Deputy Mágistrate or as officer of police, for acts done in his capacity as Deputy Magistrate or as officer of police, until he shall first have obtained the sanction of the Commissioner [illegible], the Commissioner will [illegible] who is to conduct the [illegible] to be held.

—of public officers by Magistrates
G. O. No. 824A, dated 7th March 1876.

MAGISTRATES should give prompt information to the Inspector-General of Registration of all prosecutions of employés of the Registration Department connected with the conduct of their duties (*see also "Jails" for prosecution of jail officials and revised edition of Police Circulars for prosecution of police officers*).

—of employes in the Registration Department
Circular No 4A, dated 5th January 1877.

ALL officers must obtain the authorization of Government before having recourse to the courts for vindication of their public acts or their character as public functionaries from defamatory attacks. This order does not affect an officer's right to defend his private dealings or behaviour in any way that may to him seem fit; but his official reputation is in the charge of the Government which he serves.

Public officers. Sanction required to a prosecution for defamation of—
Home Department No. 103, dated 5th January 1874.

THE Government of India have sanctioned the rule, in regard to the prosecution of cases in Magistrates' courts in the North-Western Provinces and Oudh, that any Magistrate may permit an officer not below the rank of a Sub-Inspector of Police to conduct the prosecution of a criminal case in his court.

Prosecutions in Magistrate's courts.
G. O. No. $\frac{1300}{VI-335}$, dated 11th July 1887.

THE Legal Remembrancer is at times required to assist Magistrates and police officers by his advice as to the conduct of a case. The memoranda he furnishes in these cases are intended to help in their elucidation and to direct the lines of inquiry, and they should be regarded by Magistrates as confidential, and be in no case filed with the record.

Legal Remembrancer.
G. O. No. $\frac{1184}{VI-101}$, dated 7th June 1883.

Conduct of criminal cases Employment of legal practitioners by heads of departments for—.

G. O. No. $\frac{672}{VI-392B}$, dated 23rd July 1889.

The following rules on the subject of the engagement and remuneration of legal practitioners by heads of departments for the conduct of criminal cases in which their departments may be concerned do not affect the Public Prosecutor for the High Court, North-Western Provinces:—

1.—No head of a department is authorized, without the sanction of the Legal Remembrancer, to engage any legal practitioner for the conduct of any *criminal* case in which his department may be concerned.

2.—In the event of the head of a department considering it desirable in the interests of the department that the services of a special legal practitioner be retained for the conduct of any such case, he shall first refer the matter to the Legal Remembrancer, stating the nature of the case, the reasons for the application, and the number of days the case is likely to last.

3.—The Legal Remembrancer shall, in the event of his not bei[illegible] special legal pra[illegible] enc[illegible] he [illegible] Government.

4.—In the event of the application being sanctioned, the legal practitioner to be appointed shall not be deputed to conduct the case until the amount of remuneration to be paid to him shall first have been settled by the Legal Remembrancer in communication with him.

Prosecutions, Survey Department.

G. O. Nos $\frac{921 \& 2691}{VI-170C}$, dated 25th April 1893 and 21st August 1894.

The following procedure is to be observed when criminal prosecutions are instituted by the Survey Department in the North-Western Provinces and O[illegible] the charge is of a cognizable [illegible]

[illegible] direct the Government Pleader to prosecute, or report to the Legal Remembrancer what other arrangement he has to propose.

Of officers of standing.

G. O. No. $\frac{2511}{VI-452C}$, dated 6th June 1894.

Whenever an officer of standing, such as a Tahsíldár or Naib-Tahsíldár, is accused of a serious offence, the trial or inquiry should be conducted by the District Magistrate himself, unless there are reasons why he should not himself take up the case. *In such cases* the case should be tried by an officer with *at least six years' experience* of judicial work, unless it is one that can be committed to the sessions.

RAILWAYS.

> **Jurisdiction of Magistrates in respect to—**
> Resolution No. 1490A, dated 2nd October 1872, amended by Resolution No. 1391A, dated 5th September 1874.

The question of jurisdiction on the railway line may be divided into three parts: (*a*) jurisdiction in respect of accidents; (*b*) jurisdiction in respect of offences committed by or upon persons stationary (that is, not travelling) on the line, or in respect of things stationary on the line; and (*c*) jurisdiction in respect of offences committed by persons travelling in trains, or in respect of persons and property being conveyed in trains.

(*a*) *and* (*b*)—Accidents and stationary offences.

In all cases of accidents or of offences committed on the railway (other than offences by travellers, which are provided for by section 182 of the Criminal Procedure Code), all reports or complaints must be made to the Magistrate of the district within which that portion of the railway lies, or to his subordinates, and all inquiries must be instituted and carried on by his or their orders.

(*c*)—Offences committed in trains.

By section 182, Criminal Procedure Code, an offence committed on or in respect of any property or person in any conveyance employed in a journey, which expression would clearly include a railway train, may be inquired into or determined in any district through any part of which such conveyance shall have passed in the course of the journey. Every Magistrate to whom a complaint is made has jurisdiction to hear and try the case, no matter at what part of the line the offence was committed. The railway police should take such cases reported to them to the nearest Magistrate on the line of rail.

In regard to stationary offences, they will generally be instituted by police report or complaint, in which cases they may be heard by any Magistrate duly empowered under the Criminal Procedure Code.

> **Railway accidents. Rules for inquiring into—**
> India's Resolution No. $\frac{3}{317-25}$, Home, Revenue and Agricultural Department, dated 20th December 1880.

The following are the rules prescribed by the Governor-General in Council for inquiring into and reporting on serious accidents on Indian railways, whether open for public traffic or under construction.:—

1. Serious accidents are accidents attended with loss of human life or serious injury to person or property, or accidents of a description usually attended with such loss or injury.

2. *In the case of any railway passing through native states,* the Government of India will from time to time direct what official shall, for the purposes of these rules, be regarded as the Magistrate of the district in respect of the portions of the railway situate in each such state.

3. Throughout these rules the words "District Superintendent of Police" of the district in which the occurrence takes place shall be substituted for the words "Railway Police Superintendent" in respect of railways whereon a Railway Police Superintendentship has not been established. The word "Manager" shall include the agent of a Guaranteed or other Railway Company or other officer in charge; and the Chairman of the Corporation in the case of the Calcutta Municipal Railway, and the Vice-Chairman of the Calcutta Port Commissioners in the case of railways belonging to that body, and also the Chief Engineer or Engineer-in-Chief or other officer in charge of any railway.

The officer authorized by Government to investigate and report on accidents is called the "Government Inspector:" and his address and official designation will be notified to Managers from time to time by Local Governments or Administrations or by the Government of India.

Section I.

Duties of managers and railway officers.

4. On the occurrence of any serious railway accident, it shall be the duty of the nearest station-master, or where there is no station-master, the officer in charge of the section of the railway on which the accident occurs, to give immediate notice thereof in writing, or by telegraph when possible:—

In the case of railways belonging to the Calcutta Municipal Corporation or to the Calcutta Port Commissioners, the officer referred to in the rule as "the officer in charge of the section of the railway" will be the Engineer in immediate charge of the line.

(a) to the nearest Magistrate in the district in which the accident occurred;

(b) to the Railway Police Superintendent;

(c) to the officer in charge of the police station in the jurisdiction of which the accident occurred, and

(d) to the senior policeman present at his station.

5. It shall be the duty of the manager to give notice of the accident—

(a) without delay to the Government Inspector, who has been authorized by Government to investigate and report on such accidents.

(b) to the Secretary to the Local Government in the Judicial Department within forty-eight hours after the occurrence, in order that the Local Government may, if necessary, watch over the investigation.

6. The manager shall, in cases of serious personal injury, afford medical aid to the sufferers, and see that they are properly and carefully attended to till removed to their homes or handed over to the care of their relatives or friends.

7. The manager shall cause departmental inquiry to be held promptly for the thorough investigation of the causes of every serious accident, and shall, if he considers it expedient, invite the Superintendent of Railway Police to be present at the inquiry, if possible; in his unavoidable absence, an officer of police should be present. Also, he shall communicate the conclusion at which he has arrived as the result of the inquiries to the Magistrate mentioned in rule 4; and, if on open line, to the Government Inspector, with a statement of the persons, if any, whom the railway authorities intend to prosecute, unless the matter should form the subject of a magisterial inquiry under rule 8.

8. It shall be the duty of the manager or of the officer or officers to whom the duty is delegated by him to bring to justice, wherever sufficient evidence is forthcoming, all railway subordinates guilty of crime or of breaches of the Indian Railway Act, or of the general rules, calculated to cause serious accident; and to request the Superintendent of Railway Police to make a report of all cases in which there appears to be ground for suspecting railway subordinates of such misconduct. Also, he shall request the Superintendent of Railway Police to prosecute all persons who it may be decided should be prosecuted.

9. The manager and all heads of departments shall facilitate the movements of the medical officers, the police, the Magistrate, the Government Inspector, and others concerned in reaching promptly the scene of the accident; and they shall assist these [illegible] g
[illegible] t-
[illegible] of
[illegible]

10. In cases in which it is the duty of the railway officers to arrest any offender under sections 48 and 49 of Act IV of 1879, the manager or officer or officers nominated by him as responsible in the locality shall instruct the Railway Police Superintendent or the senior police officer or policeman present, or in the event of there being no member of the police force present, a railway servant, to at once arrest the offender; or when such offender is himself a railway officer whose removal would cause danger or grave inconvenience, to see that precautions are taken to prevent his escape pending the arrival of a substitute.

11. He or they shall arrange for the attendance as long as needful at the court or place of inquiry of any officer or servant of the railway, upon the requisition of the Magistrate or other civil officer.

12. The manager shall maintain at each railway station, or, in the case of lines under construction, in each divisional office, a list of Magistrates or other officers (such list to be furnished by the Magistrate having jurisdiction over the place where the station is situate), to whom reports of accidents should be made; and he shall furnish Magistrates with a list of railway officers to whom any summons may be sent for service on subordinate railway servants.

13. In the case of judicial inquiries, he shall report the result to the Government Inspector and forward copy of the decision of the court.

14. He shall issue such detailed instructions as will give effect to the foregoing rules, and furnish the Government Inspector with copy of all such detailed instructions as issued.

SECTION II.

Duties of the railway and district police.

15. An investigation may be made by the railway police in case of any railway accident.

16. Where there is no railway police, the duties imposed by these rules on railway police or the Railway Police Superintendent must be discharged by the district police or the District Police Superintendent, in addition to their duties as such.

17. In the case of serious accidents, the Railway Police Superintendent, if any, or the District Superintendent of Police, shall at once advise the Local Administration and proceed without delay to the scene of the accident If either officer be himself unable so to proceed, he shall depute a subordinate, who, in the case of the district police, shall be an Assistant Superintendent of Police where there is one, or where there is no such officer, an Inspector (a European where possible) The officer (of any rank) unable to proceed shall also at once inform his departmental superior and the [illegible] district, or Magis[illegible] trate headquarters) [illegible] name of the officer deputed.

18. Such accident shall forthwith be investigated by the railway police, and if the police officer is of opinion that sufficient grounds exist for a judicial investigation, he will bind all parties to appear before a Magistrate on a date to be fixed by that officer. If the investigation be made by the railway police, immediate information shall be given to the district police, either direct or through the Magistrate of the district. The result of the police investigation prescribed by this rule shall be reported to the manager of the railway and to the Magistrate of the district.

19. When the investigation is made by the railway police, and the assistance of the officers of the district police is called for, the latter shall afford all necessary assistance, and shall, if occasion arise, carry the investigation beyond the limits of the railway premises. But the Railway Police Superintendent is primarily entrusted with the duty of investigation within such limits. Subject to any provisions elsewhere contained in these rules, the further prosecution of the case on the conclusion of the preliminary local police investigation shall rest with the railway police.

SECTION III.

Duties of civil officers.

20. It shall be in [illegible] of the district or of the Subdi[illegible] formation of the occurrence of [illegible] meaning of rule 1, either—

(*a*) himself to proceed to the scene of such accident and make any inquiry;

(*b*) to depute a subordinate Magistrate to make inquiry; or

(*c*) to direct investigation to be made by the Government railway or district police, as the case may be,

(*d*) to report to the Local Government serious accidents involving considerable loss of human life or indicating defective administration.

21. The Magistrate or other officer shall summon any servant of the railway, and all other persons whose presence he may think necessary, and after taking the evidence and completing this inquiry, shall, if he consider there are sufficient grounds for judicial investigation, take the requisite steps to bring to trial any person he may consider criminally liable for the accident.

22. The manager or the Magistrate of the district or the District Superintendent of Police may require the Civil Surgeon of the district or any district medical officer to proceed to the scene of any railway acc[illegible] pose of rendering [illegible] ing authorities, a[illegible] and it shall be the duty of such Civil or Police Surgeon or medical officer to proceed accordingly.

23. In cases where technical points are involved, the Magistrate or other officer should be careful to call for and take the opinion of professional persons.

24. The result of this preliminary local inquiry will invariably be communicated by the Magistrate to the manager of the railway and to the Government Inspector.*

25. Should the Magistrate have delayed judicial action until receipt of the railway departmental report, he will then decide whether to discharge the persons accused or to proceed with the case.

26. If the manager of the railway do not prosecute the persons considered liable by the civil officer, the Magistrate will arrange for their prosecution.

27. If, in the course of the judicial inquiry, the Magistrate wishes for the assistance of the Government Inspector or manager of the railway, or for the attendance of any officer of the railway, to explain or give evidence upon any matter relating to railway supervision, management or working, he will issue a requisition to such officers to attend the court.

28. On the conclusion of the judicial inquiry, the Magistrate will, if necessary, report the result for the information of the Local Government; and he will send a copy of his decision to the manager of the railway.

29. Magistrates through whose jurisdiction a railway passes shall maintain a list of railway officers (such list to be furnished by the manager) to whom summonses may be sent for service on subordinate railway servants, and shall furnish the manager with a list of Magistrates or other officers to whom reports of accidents should be made.

Section IV.

Government inspector's duties.

30. On receiving notice of a serious accident to a train, arising from defects of road or works or machinery, or from obstructions, or in any case, on requisition from the officer charged with the inquiry, the Government Inspector shall proceed himself, or by deputy, to the scene of the accident; shall note the facts; watch the proceedings of the departmental or magisterial inquiry; and make such inquiries and investigations as he may think fit, calling upon the manager or officer in charge of the line for any assistance needed, and shall form his own conclusions.

* Under a strict interpretation of the rules, the information to be supplied to the Railway Administration would be limited to the result of the inquiry; and the Governor-General in Council has no doubt that the communication of this information to the railway authorities will be sufficient in the great majority of cases. His Excellency in Council is, however, of opinion that the process of inquiry might also be communicated to the railway authorities in any case in which the Local Government or any authority to whom it may delegate discretion in the matter is satisfied of the necessity for such action (G. G. O. No. 63, dated 25th February 18[illegible]).

31. He shall submit his report, with any notes he may desire to record, to the Government concerned, forwarding copy to the manager of the railway or to the Magistrate having jurisdiction in British or in native territory, as the case may be.

32. He shall assist the Magistrate so far as he can in person or by deputy in the judicial inquiry whenever called upon to do so.

33 In important cases, where a remedy or change of system appears necessary, the Government or Administration concerned should be informed what steps have been, or are proposed to be taken, by the railway to prevent a recurrence of similar accidents, and whether, in his opinion, further action in the matter is desirable.

Government Inspectors.
India's Public Works Department Circular No. XV, dated 4th December 1888.

THE following are the orders of the Government of India on the subject of the inspection of railways. In supersession of previous orders, the Governor-General in Council is pleased to direct that the circles in which the different Consulting Engineers exercise jurisdiction as Inspecting Officers under Acts IV, 1879, and IV, 1883, shall be constituted as exhibited in the accompanying schedule.

2. His Excellency in Council is also pleased, under section 5A of Act IV of 1883, to appoint all Consulting Engineers for Railways, as well as the officer in each circle who is, for the time being the Senior Deputy Consulting Engineer in that circle, to be, by virtue of their office, Inspecting Officers, with effect from the 1st January 1889.

3. His Exce [illegible]
hereby vested in [illegible]
within those circl [illegible]
India, may have g [illegible]
way system.

4. In cases where a Consulting Engineer has his headquarters in one place and his Deputies in others, it is left to the Consulting Engineer to arrange the particular office to which applications for inspection prior to the opening should be addressed by any Railway Administration.

5. The Government of India also desires that Consulting Engineers or Deputy Consulting Engineers, in their capacity as Inspecting Officers, shall be styled *Government Inspectors.*

India's Public Works Department No. VIII, Railway, dated 20th May 1891, and G. O. Nos. 1664-65 VI-501B, dated 18th June 1891.

In addition to the officers already appointed in Circular No. XV (Railway) of 1888 (above), the Governor-General in Council is pleased to appoint every Deputy Consulting Engineer for Railways, whether permanent or officiating, who holds the rank of an Executive Engineer (permanent or sub. *pro tem.*) in the Public Works Department, to be, by virtue of his office, an Inspector of Railways, under section 4(1) of the Indian Railways Act, 1890.

2. In the absence of any express order to the contrary, an officer who has once become an Inspector by virtue of his office and rank shall not, while he remains in the Consulting Engineer's Department, vacate his appointment as Inspector on account of any temporary reversion to a lower departmental rank than that of Executive Engineer, sub. *pro tem.*

3. Every Deputy Consulting Engineer exercising the powers of an Inspector is to be considered in all respects as under the general control of the Senior Inspector, *i.e.*, the Consulting Engineer of the circle to which he is attached; and his reports should be submitted to the Senior Inspector for such action as he may consider desirable.

4. In cases of urgency, the Senior Inspector may authorize telegraphic reports being made direct to the Government of India.

Distribution of charges of Government Inspectors.
India's Public Works Department Circular No. XXVIII (Railways), dated 10th March 1891, and G. O. Nos. $\frac{1436-37}{VI-807B}$, dated 25th May 1891.

THE Governor-General in Council has directed that, with effect from the 1st April 1891, the distribution of charges for the investigation of accidents by Government Inspectors, without reference to their other duties, shall be constituted as exhibited in the accompanying schedules.

2. It should be understood that if the Consulting Engineer, in general control of a line, desires to be present at the investigation of an accident which has occurred on that line, at a place outside of the circle in which he is Government Inspector for accidents, he should take no part whatever in the proceedings, but he may be examined as a witness.

Schedule showing the distribution of charges for the investigation of accidents on lines open for traffic by Government Inspectors, from the 1st April 1891.

(The distribution in this schedule is shown by charges.)

Government Inspector.	Distribution of charges showing railways on which investigations of accidents are to be made.		
	Railway.	Section.	Miles.
		Miles.	
Consulting Engineer for Railways, Calcutta.	East Indian ...	Line east of Moghal Sarai, including Moghal Sarai station.	60
	Bengal and North-Western.	Line east of Gorakhpur, excluding Gorakhpur station.	19

NOTE.—Except where otherwise stated, the junction station between two different charges will remain in the charge of the Government Inspector who has to inquire into accidents on the line to which that junction station belongs.

Schedule showing the distribution of charges for the investigation of accidents on lines open for traffic by Government Inspectors, from the 1st *April* 1891—(concluded).

(The distribution in this schedule is shown by charges.)

Government Inspector.	Distribution of charges showing railways on which investigation of accidents is to be made.		
	Railway.	Section.	Miles.
Consulting Engineer for Railways, Lucknow.	Bengal and North-Western	Line west of Gorakhpur—Gorakhpur-Naipalganj road, including Gorakhpur station. Miles 161½; Gorakhpur-Uska Bazár ... 39¼; Mankapur-Ajudhya ... 20; Gonda-Bahrámghát (when opened.) 31¾	252½
	Lucknow-Bareilly,	The whole line—Lucknow-Gola Gokarnnath... 104¾; Bareilly-Pilibhít 36; Gola Gokarnnath-Pilibhít (when opened). 55	195¾
	Rájputána-Malwa,	Cawnpore-Háthras, including Cawnpore station, but excluding Háthras station.	200¾
	North-Western,	The whole line ...	2,385
	Oudh and Rohilkhand.	The whole line, including Cawnpore East Indian Railway station	692½
	Rohilkhand-Kumaun	The whole line	54¼
Consulting Engineer for Railways, Central Division.	East Indian ...	Line west of Moghal Sarai, excluding Moghal Sarai and Cawnpore stations, but including the Delhi station.	725½
	Indian Midland ...	The whole line	677½
	Rájputána-Malwa.	Agra-Ajmere, including Ajmere station. 265¾; Achnera-Háthras, including Háthras station. 59¼	325

NOTE.—Except where otherwise stated, the junction station between two different charges will remain in the charge of the Government Inspector who has to inquire into accidents on the line to which that junction station belongs.

Schedule showing the distribution of charges for the investigation of accidents on lines open for traffic by Government Inspectors, from the 1st *April* 1891.

(The distribution in this schedule is shown by Railway Administrations.)

Railway.	Section.	Miles. (section)	Miles.	Inspector.
East Indian ...	Lines east of Moghal Sarai, including Moghal Sarai station.	800	879½	Consulting Engineer for Railways, Calcutta.
	Lines worked—			
	Patna-Gaya State Railway,	67¼		
	Tárakeshwar Railway ...	22¼		
	Line west of Moghal Sarai, excluding Moghal Sarai and Cawnpore stations, but including the Delhi station.		725¼	Consulting Engineer for Railways, Central Division.
Bengal and North-Western.	Line east of Gorakhpur, excluding Gorakhpur station.		162	Consulting Engineer for Railways, Calcutta.
	Line west of Gorakhpur—			
	Gorakhpur - Naipalganj road, including Gorakhpur station.	101¼	232¼	Consulting Engineer for Railways, Lucknow.
	Gorakhpur-Uska Bazár ...	39¼		
	Mankapur-Ajudhya ...	20		
	Gonda-Bahrámghát ... (when opened).	31¼		
Lucknow-Bareilly.	The whole line—			
	Lucknow-Gola Gokarn nath.	104½	195½	Ditto ditto.
	Bareilly-Pilibhit ...	36		
	Gola Gokarnnath-Pilibhit (when opened).	55		

NOTE.—Except where otherwise stated, the junction station between two different charges will remain in the charge of the Government Inspector who has to inquire into accidents on the line to which that junction station belongs.

Schedule showing the distribution of charges for the investigation of accidents on lines open for traffic by Government Inspectors, from the 1st April 1891—(concluded).

(The distribution in this schedule is shown by Railway Administrations.)

Railway.	Section.	Miles.	Inspector
	Miles.		
Indian Midland,	The whole line ... 677½ *Line worked –* Bhopal-Itarsi Railway ... 57	734½	Consulting Engineer for Railways, Central Division
Rájputána-Malwa,	Cawnpore-Háthras, including Cawnpore station, but excluding Hathras station.	200¾	Consulting Engineer for Railways, Lucknow.
	Agra-Ajmere, including Ajmere station. 265½ Achnera-Háthras, including Háthras station. 59½	325	Consulting Engineer for Railways, Central Division
North-Western...	The whole line ..	2,385	Consulting Engineer for Railways, Lucknow.
Oudh and Rohilkhand.	The whole line, including Cawnpore East Indian Railway station.	692½	Consulting Engineer for Railways, Lucknow.
Rohilkhand-Kumaun.	The whole line ...	54½	Consulting Engineer for Railways, Lucknow

NOTE.—Except where otherwise stated, the junction station between two different charges will remain in the charge of the Government Inspector who has to inquire into accidents on the line to which that junction station belongs.

The following rules, as to inquiring into and reporting on accidents, refer to both railways under construction and those open for traffic:—

G. O. No. $\frac{2559}{VI-792H}$ dated 12th September 1895.

INSTRUCTIONS.

District officers will observe that by section 83, Act IX of 1890, it is the duty of the Railway Administration to give notice of

accidents to Government, while by rule 21 the Magistrate only reports the result of the judicial investigation, if any, held in consequence of the accident.

Government has furnished the Railway Administrations in these provinces with a list of Magistrates to whom, and of police stations at which, the reports ordered by section 83, Act IX of 1890, should be made. With reference to rule 20, a list of railway officers through whom railway employés should be summoned is to be found in Appendix B to the High Court's Rules and Orders, Civil. The Commissioner of Kumaun arranges the list for his division. Magistrates should be careful, after making a judicial inquiry, to send a copy of their decision to the manager of the railway in accordance with rule 21.

It is unnecessary to direct that separate reports of accidents should be sent to the Tahsildar and the District Superintendent of Police. The Magistrate of the district can inform these officers if he thinks fit.

In regard to the relative duties of the Railway and District Police, the following directions are laid down :—

Under the orders of Government, No. $\frac{2470}{VI-372B}$, dated 24th August 1891, as amended,* reports of accidents are ordinarily made to the nearest railway police station, and by rule 13(1) the Railway Police are primarily entrusted with the duty of investigation. But in cases where an officer in charge of a district police station receives a report of an accident, he should go to the spot and see what is being done. If there are any Railway Police present, he should leave the case to them; but till they arrive he should take measures to see that no persons abscond, and should give assistance to sufferers, if necessary. In cases where there are no Railway Police appointed for the line, the duties imposed by the rules are performed by the District Police.

[The rules regarding the relative duties of the Railway and District Police with respect to *offences* are contained in Circular No. 3, dated 30th April 1895, issued by the Inspector-General of Police.]

The Inspector to be deputed under rule 11(2) should, if possible, be a European Inspector.

In cases where the officer in charge of the Railway Police deputes an officer to conduct an inquiry, he should inform the Magistrate to whom the report of the accident was made of the fact and the name of the officer deputed. Ordinarily, the Magistrate would not order a magisterial inquiry under rule 16 if he knew that

* A revised notification is [illegible]

a superior officer was inquiring into the accident; otherwise he might feel it his duty to do so.

No hard-and-fast rule can be laid down as to the exact extent to which the Railway Police are subordinate to the Magistrate. The general principle, however, which should guide all concerned should be as follows :—

The Magistrate, as the executive officer in general charge of, and responsible to Government for, everything that affects his dis-
e Railway
lice, when
mly issue
orders to the Railway Police direct, but should communicate with the Railway Police authority concerned, or (in case of emergency) with the senior officer of the department who may be on the spot. If an investigation made by the Railway Police appears to the Magistrate to be perfunctory, incomplete, or in any way unsatisfactory, he should at once send the case back and call for further investigation, and, if necessary, direct the District Police to co operate with the Railway Police in the matter In matters of punishment, discipline, &c, the Magistrate should not primarily interfere, except in the way of bringing any misconduct to notice.

It is the duty of the Magistrate to see that the law is observed; if, therefore, the manager of the railway has not prosecuted any person whom the civil officer considers should be prosecuted, the Magistrate concerned should arrange for the prosecution.

Civil Surgeons to whom a communication is made in accordance with rule 9 must at once proceed to the scene of the accident and render every assistance in their power.

The officer who has been appointed by the Local Government under rules 5(1) and 14 is the Magistrate of the district, to whom reports of accidents are made under G. O. No. $\frac{2406}{\text{VI}-372\text{B}}$, dated 24th August 1891, as amended.

Railway servants. Punishment of—
G O No. 1053, dated 2nd September 1881.

MAGISTRATES should take care to satisfy themselves in each case in which railway servants are convicted of an offence under the Railway Act and Rules that the penalty imposed is not in excess of what the circumstances absolutely demand in the interest of the public safety. In all cases of conviction a copy of the judgment should be forwarded at once to the Consulting Engineer.

Stealing of spikes from the line.
G. O. No. 204, dated 23rd December 1874.

IT is the duty of the Magistrate to punish the offence of stealing spikes from the line of rail with the utmost severity, not looking to the value of the property stolen, but to the risk that it causes of loss of life to travellers on the railway. Steps should be taken to make

it known in all the villages boidering on the railway that the crime is a most serious one, being not simply theft—this is a secondary and smaller consideration—but an offence endangering the safety of the line and affecting human life. As such it should, when brought home to

trates should warn

possible effort to put a stop to such theft and to the ...

of placing obstructions on the line.

Circular No 9A, dated 19th April 1875 (issued by Inspector-General of Police).

In Gházipur the following procedure has been attended with success:—The Magistrate in the first place called together all the zamíndárs and headmen of the villages bordering on the line of railway and severely cautioned them as to their responsibility, and the advisability of their using all their influence to prevent these ... on the line

means equally efficacious, and of satisfying the Government ... every means which the law puts within his reach, and which his own vigilance can ensure, are employed in the repression of the offence and the detection and punishment of those concerned in it.

Objection has been raised to the plan resorted to by the Magistrate of Gházipur, on the ground that chaukidárs are entertained exclusively for the watch and ward of villages. But it is to be observed that if on any part of the line there is reason to believe that the inhabitants of the villages through whose area the line runs habitually commit an offence prejudicial to life and safety, it is as much the business of the chaukidár to do all he can to prevent it as to prevent any other offence, the commission of which within the limits of his village he may have reason to suspect.

line. If the practice is clearly brought home to a ... of adjacent villages, warning should be given that, if the crime continues, extra police, under section 15, Act V of 1861, will be quartered on them. In the event of the warning given having no effect, steps should be at once taken to obtain the sanction of the Government to the quartering upon the guilty villages of such a force of extra police as may appear to be required.

Railway engines. Fire caused by sparks from—Circular No. 111A, dated 12th December 1879.

SEVERAL cases having occurred of the destruction by fire of ... village ignited by sparks emitted from a passing engine of the railway, Collectors and Deputy Commissioners are requested to impress upon villagers the risk they run in building houses near the

line. It would be well to remove existing habitations to a safe distance, whenever circumstances permit of their doing so.

Evidence of railway experts.
G. O. No. $\frac{1793}{\text{VI-51-87-XVIII}}$, dated 26th December 1884.

The following suggestions, made by the Consulting Engineer, Calcutta, have been circulated for the information of Magistrates who may require the evidence of experts in railway cases, but may be uncertain as to the particular officer who should be summoned.

When a Magistrate who is conducting a judicial inquiry into a serious railway accident wishes for the advice of professional persons, but does not know what railway officer or officers to summon, he should telegraph to the office of the Consulting Engineer [illegible] veek's clear notice, and the [illegible] with the agent or manager [illegible] ompetent officers or subordinates at the Magistrate's court on the day fixed to explain technical points connected with railway working, &c.

The Magistrate should, if possible, state beforehand in what particular department of the railway he may want advice—whether in the engineering, maintenance, locomotive, carriage and wagon, traffic or general departments.

Magistrates should only have recourse to this procedure in cases in which professional evidence is really required, and a doubt that cannot be cleared up by local inquiry or in a more expeditious manner exists as to the official or officials whom it would be most advisable to summon.

The following list gives the correct address of the agent or manager of each line in these provinces, and the Consulting Engineer under whose supervision it is :—

Railway.	Agent or Manager.	Consulting Engineer.
East Indian ... Dildarnagar-Ghâzipur ...	Agent, East Indian Railway, Howrah.	Consulting Engineer for Railways, Calcutta.
North-Western ...	Manager, North-Western Railway, Lahore.	Director, North-Western Railway, Lahore.
Oudh and Rohilkhand ... Bareilly-Râmpur Moradabad	Manager, Oudh and Rohilkhand, Lucknow.	Consulting Engineer for Railways, Lucknow.
Rohilkhand and Kumaun... Lucknow-Sitapur-Bareilly	Agent, Rohilkhand and Kumaun, Bareilly.	
Cawnpore and Achnera ...	Agent, Bombay, Baroda and Central India Railway.	Ditto, Bombay.
Bengal and North-Western,	Agent, Gorakhpur ...	Ditto, Lucknow.
Indian Midland	Agent, Jhânsi ...	Ditto, Central Division.

RECORDS.

Rules for the disposal of criminal—
Circular No. 5, dated 14th March 1882.

WITH reference to rule 24 of High Court's Circular No. 5, dated the 10th October 1881, records selected for destruction should be disposed of as follows :—

All stamps shall first be removed and burnt in the presence of the Magistrate or one of his assistants.

The papers shall then be torn up and sold to the best advantage, and the sale proceeds credited to the record fund.

Rules for destruction of—
G. O. No. $\frac{308}{VI-12}$, dated 16th February 1886.

THE following rules, supplementary to those already issued by the High Court and Board of Revenue, have been issued for the destruction of records in Magistrates' offices :—

I.—In all correspondence, reminders, explanations of delay, and dockets on mere matters of routine should be destroyed when the file is closed, and before it is finally consigned to the record-room. The originals of papers, of which printed copies have been received, may be destroyed on receipt of the printed copies.

II.—Applications for copies may be destroyed after one year.

III.—Circulars, &c., should be destroyed when they are cancelled or superseded.

IV.—Papers not destroyed under the above rule shall be destroyed after the expiry of three or twelve years, or retained permanently, according as they fall within the first, second or third of the lists given below. The first list refers merely to routine statements, or to miscellaneous correspondence of no permanent value; no important correspondence should be destroyed after three years even though it comes under one of the subjects included in the list. Annual reports shall ordinarily be retained for twelve years.

V.—In calculating the time fixed for the destruction of records the computation will be made from the commencement of the calendar year succeeding that in which the correspondence took place. Thus a document to be destroyed after three years, if received in February 1883, must be kept for three years from 1st January 1884.

VI.—All papers to be destroyed shall be selected by the record-keeper and head-clerk, and submitted for the inspection of the Magistrate or an assistant deputed by him for the duty; and no papers should be destroyed without the orders of that officer, who will satisfy himself that they are not of sufficient importance to be preserved. The duties of the record-keeper and head-clerk in this respect should be clearly explained to them. In all cases of doubt special reference is to be made to the Magistrate.

VII.—Annual clearances of useless papers, except such as are made under rule I, should be effected between May and September in each year.

VIII.—These rules do not affect those issued by the High Court and the Board of Revenue for the retention of records; nor those issued by the Government for the disposal of papers connected with the working of the Arms Act.

High Court's Rules and Orders, Criminal, page 55. Board's Extant Circulars, Part IX, pages 9, 23, 113—16. G. O. No. $\frac{1718}{VI—351-14}$, dated 15th December 1884.

LIST I.

PAPERS THAT MAY ORDINARILY BE DESTROYED AFTER THREE YEARS.

QUARTERLY AND HALF-YEARLY STATEMENTS.

Judicial (Criminal) Department

Canal Officers. Monthly abstract of cases decided by——.

Ditto. Statement showing revisional powers exercised by Magistrates in cases tried by——.

Honorary Magistrates. Statement of work done by——.

Miscellaneous correspondence on such subjects as—

Absconded offenders (if apprehended), the period to be computed from date of apprehension. (See also List III.)

Accused persons. Intermediate custody and dieting of——.

Advances.

Appeals from acquittals.

Assessors.

Capital punishment. Execution of——.

Chemical Examiner's analysis (when unconnected with judicial proceedings). Coinage statement.

Confiscation. Seizure and——of contraband liquor, opium and salt.

Criminal tribes. (See also List III.)

Deceased persons. Claims to property of——.

Deserters.

Eunuchs.

Fairs.

Fines. Realization of——.
Foreigners.
Glanders and Farcy.
Lock-ups.
Lotteries.
Lunatics.
Petroleum.
Pleaders.
Powers.
Prisoners. Escape of——.
Ditto Escort of——.
Railway accidents.
Reformatories. Character of boys from——.
Revision. Criminal (High Court).
Rewards.
Service postage stamps. Wrongful use of——.
Special Magistrates' bills for muharrirs.
Stage carriages.
Treasure-trove.
Unwholesome food.
Vagrants.
Witnesses Summoning of, and diet-money to——.
Wounded persons.

Judicial (Civil) Department.

Miscellaneous correspondence on such subjects as—
Character of candidates for examination.
Registration.

Judicial (Infanticide) Department.

Correspondence regarding—
Infanticide budgets.
Recommendations for exemption.
Reports of village testings.
Miscellaneous correspondence generally.

Police Department.

Miscellaneous correspondence on such subjects as—
Candidates for appointment.

Cattle thefts.

Construction and repairs of police buildings.

Police escorts. Extra (punitive).

Ditto Reports. Special correspondence arising from——.

Police officials. Transfers of——.

General Department.

Advertisments. Return of——in non-official Gazettes.

Budgets, such as—

(1) Pound fund.

(2) Towns administered under Act XX of 1856.

Church service denomination. Annual return of——.

Dák books.

Miscellaneous correspondence on such subjects as—

Arboriculture.

Arsenic. Supply of—— for record-room.

Bills and voucher. Submission of——.

Books.

Cantonment Fund. (See also List III.)

Cattle disease.

Cemeteries.

Chaukidári Towns (Act XX of 1856).

Cholera.

Churches.

Education of European and Eurasian children.

Emigrants. (See also List III.)

Epidemics.

Examinations.

Exhibitions and cattle shows.

Ferries.

Indents.

Leaves and transfers.

Local improvements.

Lock-hospitals.

Mail robberies.

Marriages.

Medals. Military——.

Mortuary and birth statistics.

Pensioners. Remittances from Paymaster for Military——.

Pensioners Remittances from Commissioner, Police, Calcutta, for Police——.

Pounds.

Presses and publications.

Railway crossings.

Recruiters of emigrants.

Roads.

Services. Verification of——.

Financial Department.

Budget grants

Miscellaneous correspondence relating to coinage.

Miscellaneous Revenue. Returns of items of——, and correspondence relating to their checking.

Political Department.

Native States, Unimportant correspondence with——.

Pilgrims to Mecca.

Sale and purchase of property by Government officers to and from natives.

Salutes. Miscellaneous correspondence regarding——.

LIST II.

PAPERS TO BE RETAINED FOR 12 YEARS.

Annual reports and returns.

Arms Act.
Cattle thefts.
Chaukidári Towns (Act XX of 1856).
Ecclesiastical.
Eunuchs.
Fairs.
Ferries.
Lock-ups.
Pounds.
Vagrancy.
Wild animals and snakes.

Arms Act. Registers prepared under the——

Cemeteries. Accounts of——

Infanticide. Taxation under the——Act

Literary Societies. Returns of——

Officials. Papers regarding appointments, punishments, suspensions and leaves of——

Orphans and unclaimed children. Papers regarding——

Printing Presses. Returns of——

Stage carriage registers.

And generally all important correspondence that it is not considered necessary to retain permanently.

LIST III.

PAPERS TO BE RETAINED PERMANENTLY.

Absconded offenders. Proposals and orders regarding immovable property of——

Arms Act. Proposals for the exemption of persons from operation of——

Antiquarian remains. Registers and correspondence regarding preservation of——.

Cantonments. Important correspondence relating to——

Civil Courts. Proposals for exemption of persons from attendance at——.

Criminal Tribes Report.

Criminal Tribes and Eunuchs. English registers under Act XXVII of 1870 of——, and correspondence relating to proclamation, reclamation and exemption of——

Chaukidárs, Goraits and Police. Proposals for the permanent entertainment, substitution or reallocation of——.

Chaukidári Towns. Proposals for taxation of, or exemption from taxation of——.

Dâk Bungalows, Encamping-grounds, Wells, Roads, Ferries, Saráis, &c. Important correspondence regarding——.

Darbaris. List of, and correspondence connected with——.

Death of Europeans. Reports of——.

Emigrants. Register of——.

Establishment. Correspondence relating to increase or decrease of——.

Habitual criminals. Monthly returns of——received from Superintendents of Jails, and correspondence regarding previous history of prisoners or previous convictions.

Infanticide Report.

Marriage. Registers of——.

Oaths of office.

Police Administration. Annual Report on——.

Recruits. Registers of——.

Registers of permanent utility generally.

Special Magistrates. Papers regarding the appointment of——

State prisoners. Papers relating to——.

Titles. Papers connected with——.

Transfer of area. Papers relating to——from one to another jurisdiction.

REFORMATORY SCHOOLS.

THE Reformatory Schools Act (V of 1876) being in force in the North-Western Provinces and Oudh, section 399 of the Criminal Procedure Code is repealed in those provinces (see section 3, Act V of 1876, and section 3 of the Criminal Procedure Code, 1882).

Periods of detention.
Home Department Notification No 173, dated 14th March 1889.

IN exercise of the power conferred by section 22 of the Reformatory Schools Act (V 1876), the Governor-General in Council has been pleased to make the following rule for regulating the periods for which courts and Magistrates in the territories administered by the Lieutenant-Governor of the North-Western Provinces and Chief Commissioner of Oudh may send youthful offenders to reformatory schools in the said territories :—

"No boy shall be sent to a reformatory school, if under 10 years of age, for a less period than seven years; if over 10 years of age, for a less period than five years, unless he shall sooner attain the age of 18 years."

G. O's. Nos. $\frac{1403}{VI-40B}$, and $\frac{1673}{VI-40B}$, dated 22nd June and 23rd July 1889.

THE question having been raised whether juvenile offenders who had already undergone a portion of their sentence in a jail can be consigned to a reformatory school for a term exceeding the remainder of their sentence or not, it is ruled that the legal period of detention in a reformatory is not affected by the length of time which may have already been passed in jail. This is clear from section 8, Act V of 1876, which lays down that when any youthful offender under 16 years of age has been sentenced to imprisonment, the officer in charge of the jail in which such offender is confined may bring him before the Magistrate within whose jurisdiction such jail is situate, and the Magistrate may direct him to be sent to a reformatory school and there to be detained for a period which shall *not be less than two*, and not more than seven years, notwithstanding the fact that the substantive sentence of imprisonment may have only been for two or three months or even less

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Passing of substantive sentences on youthful offenders
G. O No $\frac{1959}{VI-40B}$, dated 20th August 1889.

THE Committee of Visitors of the Reformatory School at Bareilly having brought to the notice of Government several instances in which Magistrates have ordered the confinement of youthful offenders in the Reformatory School without passing any substantive sentence of imprisonment on them, the attention of Magistrates is directed to the provisions of section 7 of Act V of 1876, and it is pointed out that it is not until a youthful offender has been sentenced to imprisonment that the court may direct that such offender, instead of being imprisoned in a criminal jail and undergoing his sentence, shall be sent to a reformatory school. The sentence of confinement in a reformatory is alternative to a purely penal sentence; but this latter must first in every case be passed.

Passing of substantial sentences on youthful offenders.

G. O. No. $\frac{257}{VI-40B}$, dated 11th October 1892.

With reference to the above orders, the substantive sentence passed on a boy who is to be detained in a reformatory should also be substantial, and such as the offence would have deserved if the boy had not been sent to the reformatory; otherwise it is possible that in case the boy has for any reason to be discharged from the reformatory by the Local Government, in the exercise of its power under section 11(*b*) of Act V of 1876, and is sent to jail, he may escape with an inadequate punishment.

Particulars to accompany youthful offenders.

G. O. No. $\frac{352}{VI-501B-1}$, dated 15th February 1890.

With each boy committed to the reformatory school a copy should be sent of the judgment of the criminal court, together with a short history, showing any crime for which he may have been previously punished, the position and character of his parents, and any other facts known to the police which might be useful in dealing with him.

Class of boys to be sent.

Resolution No $\frac{612}{VI-40B}$, dated 21st March 1889.

The principles that courts and Magistrates, subject to the discretion given them by the *Reformatary Schools Act*, should observe in deciding whether a youthful offender is a proper person to be an inmate of a reformatory school are the following:—

(1) The most proper subjects for reformatory treatment are those boys who are without proper parental or other control, and who have committed an offence or offences against property.

(2) As a *rule, no boy should* be sent to a reformatory on a first conviction, unless there is reasonable cause for supposing that he is being trained up to, or likely again *to lapse into, crime.*

(3) As a rule, it is not desirable to send boys to reformatories before they have completed their 9th, or after they have completed their 13th, or at most their 14th year of age.

(4) For the present, no boy belonging to a proclaimed habitual criminal tribe* in these provinces should be sent to a reformatory, the question of the treatment of these tribes being under separate consideration. Other boys who appear to be habitual offenders, should be committed (if at all) at an early stage in their career, being less amenable to reforming influences as they approach the age of 16.

*The Sanauriahs of Lalitpur.
The Barwars of Gonda.

The Sansiahs also known as— }
The Gidhias ... }
The Kangars ... } of Muzaffarnagar, Meerut, Agra and Muttra.
The Hadbura Kangars ... }

(5) No boy should be sent to a reformatory who has been convicted of an unnatural offence, or of gross indecency indicative of habitual immorality.

Verification of age.

G. O. No $\frac{2380}{VI-40 B}$, dated 14th September 1892.

CASES have come before Government in which there were considerable differences in the age of juvenile offenders as estimated by Magistrates and by the visitors of the Bareilly Reformatory School, and therefore in case of doubt as to whether a boy is excluded from the reformatory by rule 3 above, the Civil Surgeon should invariably be called upon for an expression of opinion as to his probable age.

Despatch of boys to the reformatory.

G. O No $\frac{7214}{VI-40B}$, dated 10th August 1893.

BOYS whose detention in the reformatory is directed under section 7, Act V of 1876, should be sent direct to the school. After the order of detention in the reformatory has been passed, the police should make the boy over to the Magistrate of the district, who should arrange for sending him in charge of a tahsíl chaprási, with the necessary papers, to the Reformatory School at Bareilly. In cases which fall under section 8, Act V of 1876, the Jail Department should arrange for the transfer.

REWARDS.

Rewards for the apprehension of criminals.
G. O. No. $\frac{234}{VIII-40A}$, dated 15th April 1890.

COMMISSIONERS are authorized (subject to divisional budget allotment) to grant rewards for the apprehension of criminals to an amount not exceeding Rs. 500 *for each criminal*, without reference to Government for sanction. All applications for the grant of rewards by Government in excess of that amount should be submitted by District Magistrates through Commissioners. In no case should an application for the grant of a reward be made to Government direct.

Circular No. 1415A, dated 10th August 1854.

The rewards authorized by Commissioners within the above limit should be carefully apportioned according to the gravity and the special circumstances of the case.

Full reports of the particulars of all offences for the apprehension of the perpetrators of which the offer of rewards exceeding Rs. 100 is sanctioned by Commissioners will be made without delay for the information of Government.

Circular No. 12A, dated 3rd July 1873.

A sum is provided in the yearly police budget for each division on account of rewards for the apprehension of proclaimed offenders. If a Commissioner exceeds the amount allotted to his division, he has to apply for an additional grant.

Home Department Observation No. $\frac{14}{1283}$, dated 15th October 1874.

In drawing up a notification offering a reward for the capture of an offender the words "dead or alive" must not be used, as they are liable to misconstruction.

—for the discovery of treasure.
No. 1392, dated 14th August 1880.

THE rewards sanctioned by the above circular may also be granted for information leading to the discovery of treasure.

(N.B.—*For rewards for wild animals see "Wild Beasts," General Department.*)

SOLDIERS.

Arrest of—
Circular No. 21A, dated 4th September 1874.

IN the event of the arrest by the police of soldiers, British or native, charged with the commission of on offence, District officers should give as early intimation as possible of the fact to the officer commanding the regiment to which the men arrested may belong, so as to enable him to adopt in time any measures he may think necessary for their defence.

Escort of—when convicted.
India's No. $-\frac{8}{404}-$, dated 17th December 1881.

WHEN British soldiers are convicted by the civil power at stations where no European police are available, application must invariably be made to the local military authorities for a military escort to accompany such prisoners to the jail.

Trial of—
Circular No. 37, dated 16th July 1880, for North-Western Provinces, and Judicial Commissioner's Circular No IX, dated 16th June 1880, for Oudh.

ALL Magistrates of districts should arrange that no European or native soldiers of Her Majesty's army who may be accused of an offence shall be tried by any Magistrate below the rank of a Magistrate of the first class.

Offenders triable by court martial.
Home Department Notification No 1222, dated 27th July 1887

THE following rules have been made by the Governor-General in Council, under section 519 of the Code of Criminal Procedure, respecting the delivery to the military authorities of persons charged with offences under section 41 of the Army Act, 1881, for which they are liable to be tried by court-martial held under that Act:—

I.—(1) When a person subject to military law is accused of an offence for which he is liable under the Army Act, 1881, section 41, [illegible] proceed to try [illegible] old an inquiry [illegible] or the High Court, unless he is moved to do so by the military authorities, or is of opinion, for reasons to be recorded in writing, that he ought so to proceed without being moved thereto by those authorities.

(2) When the Magistrate is of opinion that he ought so to proceed without being moved thereto by the military authorities, he shall give notice of his intention to do so to an officer to whose command the accused person is subject, and shall not, till the expiration of fifteen days from the date of the service of the notice on the officer—

(a) in a summons case, acquit or convict the accused under section 243, section 245, section 247, or section 248 of the Code of Criminal Procedure, or hear him in his defence under section 244 of the Code, or

(b) in a warrant case, frame a charge against the accused under section 254 of the Code, or

(*c*) issue an order for the trial of the accused by a jury under section 451A, sub-section (2), of the Code; or

(*d*) make an order committing the accused for trial by the Court of Session or the High Court under section 213 or section 214 of the Code.

(3) If within the fifteen days, or at any time thereafter before the Magistrate has done or made an act or order specified in clause (2), sub-clause (*a*), sub-clause (*b*), sub-clause (*c*) or sub-clause (*d*) of this rule, an officer to whose command the accused is subject notifies to the Magistrate that, in the opinion of the military authorities, the accused should be tried by a court-martial, the Magistrate shall stay the proceedings before himself, and, if the accused is in his power, deliver him, together with the statement mentioned in section 549 of the Code, to the authority prescribed in that section.

II.—If, after a Magistrate has been moved by the military authorities to proceed against a person subject to military law for an offence for which that person is liable, under the Army Act, 1881, section 41, to be tried by court-martial, an officer to whose command the person is subject notifies to the Magistrate that, in the opinion of the military authorities, the accused should be tried by a court-martial, the Magistrate, if he has not, before receiving the notice, done or made an act or order specified in clause (2), sub-clause (*a*), sub-clause (*b*), sub-clause (*c*) or sub-clause (*d*) of rule I, shall stay the proceedings before himself, and, if the accused is in his power, deliver him, together with the statement mentioned in section 549 of the Code, to the authority prescribed in that section.

III.—If a person who has been delivered by a Magistrate to a commanding officer, under rule I, clause (3), or under rule II, for the purpose of being tried by court-martial, is not brought to trial before a court-martial for the offence of which he is accused or effectual proceedings have not been taken, or have not been ordered to be taken against him, the Magistrate shall report the circumstance—

(*a*) in cases occurring within the territories administered by the Governor of Fort St. George in Council or by the Governor of Bombay in Council, for the information and orders of the Governor in Council of Fort St. George or of Bombay, as the case may be; and

(*b*) in other cases through the Local Government, for the information and orders of the Governor General in Council.

Trial of native officers and soldiers.

G. O. No. $\frac{1117}{VI-240C}$, dated 1st May 1894.

The above rules do not apply to native officers or soldiers or followers in Her Majesty's Indian Army. These are subject to the Indian Articles of War (Act V of 1869), and these Articles in effect provide (Article 170) that when a person subject to them is accused of a non-military offence, he shall be delivered over to the nearest Magistrate to be proceeded against according to law.

Soldiers. Trial of—

G. O. No. $\frac{1969}{VI-240C}$, dated 20th July 1893.

It having been found that the orders printed above requiring that immediate intimation of the arrest of soldiers should be given to their commanding officer, had not been complied with in a certain case owing in some measure to the fact that the soldier on arrest was sent up direct to the court of the Subordinate Magistrate, and timely information was not given to the District Magistrate, it was directed, in order to secure that such an irregularity shall not in future occur and—what is very desirable—that cases of this description shall be tried only by experienced Magistrates, that all charges against soldiers should, subject to the provisions of section 549 of the Code of Criminal Procedure and the rules made thereunder (see above), be laid in the court of the District Magistrate, who will either try the case himself or make it over to be tried by a selected subordinate.

Affrays with natives.

G. O. No. $\frac{34}{VI-10B}$, dated 11th November 1887, and India's No $\frac{59}{2352}$, dated 14th October 1887.

It is requested that the following orders of the Government of India be carefully observed :—

The attention of the Government of India has recently been drawn to the unsatisfactory termination of certain trials resulting from affrays which have taken place between European soldiers and native villagers. These affrays have usually originated in disputes between the villagers and soldiers when the latter have been out on shooting expeditions, passes for which are granted under the Regulations contained in Home Department letter No. $\frac{30}{1012-1023}$, dated 31st July 1883.* Renewed instructions have recently been issued by the military authorities for the enforcement of absolute obedience to these regulations; but the Government of India thinks it also essential that no effort should be spared by the civil authorities to bring home punishment to all, whether soldiers or villagers, who commit a breach of the law on such occasions. In considering the cases recently before him, the Governor-General in Council was much struck by the fact that the issues involved were obscured by the absence of such reliable evidence as would have been elicited by a full and exhaustive inquiry made on the spot immediately after the occurrence. To such an investigation His Excellency in Council attaches the utmost importance; and I am therefore desired to request that, with the permission of His Honor the Lieutenant-Governor and Chief Commissioner, instructions may be issued that, on the occurrence of a serious

* See this Manual, General Department, pages 105 and 106.

affray between European soldiers and native villagers, the District Magistrate shall invariably either himself proceed to the place, or at once depute a European Magistrate or the District Superintendent of Police, in order to investigate the matter on the spot at the earliest possible time after the occurrence.

Soldiers. Defence of—
G. O. No $\frac{2067}{VI-243C}$, dated 25th July 1893.

THE following rules have been sanctioned by the Government of India for the defence of soldiers charged with criminal offences and prosecuted by Government in civil courts :—

(1) W[illegible]

[illegible] remuneration of a pleader, advocate or barrister, as the importance and necessities of the case may require.

(2) The fee to be paid to the pleader, advocate or barrister must not exceed Rs. 100 per diem when the trial is before a High Court, and Rs. 50 per diem in all other cases.

(3) It is to be clearly understood that the local authorities are only to appoint a pleader in cases where they think it desirable, and are to fix the fee beforehand (subject to the maximum amount stated above) at whatever sum may be reasonable with reference to the customary rates of the localities concerned.

(4) The expenditure incurred will be a military charge, and will be adjusted under Grant 14 of budget estimates, minor head "Contingencies."

G. O. No. $\frac{2770}{VI-243C}$, dated 3rd July 1894.

These rules are not applicable to native soldiers on leave and reservists not under training, but they should be held applicable to reservists of the Native Army when called out for training, as these men are in the same position as soldiers serving with the colours.

G. O. No. $\frac{3495}{VI-243C}$, dated 17th September 1894.

A pleader, advocate or barrister may similarly be provided, subject to the conditions of paragraphs 2 and 3 above, when a soldier has been convicted and has appealed.

SPECIAL MAGISTRATES AND BENCHES.

Observations regarding appointment of—

Resolution No. 1150, dated 31st July 1872.

THE Code of Criminal Procedure (section 14) gives the Local Government power to appoint Special Magistrates, who may be invested with all or any of the powers of the Magistrate of the 1st, 2nd or 3rd class in respect to particular offences or to a particular class or classes of offences or in regard to offences generally, in any part of a district or in any one or more districts. This section meets the case of officers in charge of jails, Town Magistrates, Railway Magistrates, Forest and Canal Officers, &c., and is specially commended to the attention of Magistrates, of the Inspector-General of Prisons, and of the Public Works Department and Irrigation Branch. Many Honorary Magistrates might also be specially invested under this section with local powers to try classes of offences.

Benches of Magistrates appointed under section 15 will also probably be found a useful institution in many municipalities and other large towns.

Benches

G. O. No 1034A, dated 19th August 1875.

THE following rules for the conduct of business by benches of Special Magistrates are recommended for general adoption by the Government. (*N.B.*—The issue of such rules is left to the Magistrates concerned under section 16 of the Criminal Procedure Code.)

Rules for the guidance of Benches of Magistrates under section 16 of the Criminal Procedure Code.

[illegible] try such cases or classes of cases [illegible] may by special or general order [illegible]

II.—The bench shall sit on the days hereunder appointed at A.M. It shall not consist of more than three members, and two of these shall form a quorum. The sittings shall be held in the municipal office or other public office appointed.

III.—The bench may hold one or more adjourned sittings, if this be found necessary, for the disposal of business or of part-heard cases: Provided that if any case is adjourned, and the members at the adjourned sessions are not the same as sat at the first hearing of the case, the provisions of section 350 of the Criminal Procedure Code will be held to apply to the case.

IV.—The chairman of the bench for the time being shall be the Magistrate of highest powers present at the sitting. Where all present are of equal powers, the Magistrate of oldest standing shall be the chairman, provided always that it shall be in the discretion of the Magistrate of the district to appoint the chairman for each time of sitting, or generally.

V.—The chairman shall conduct the proceedings of the court and shall exercise all the functions in that behalf usually exercised by a Magistrate when sitting alone. He shall decide upon the admissibility of evidence and maintain order in the court; but it shall be open to any member of the bench to put any question to the parties or witnesses, either direct or through the chairman, as the latter may deem advisable, and to suggest any matter for the chairman's consideration.

VI.—Any recording of evidence, issuing of process, or other function exercisable by the chairman may, with his consent, be exercised by any one of his colleagues.

VII.—Each member of the bench shall have a voice in the finding and sentence, which shall be signed by the chairman and by the members present.

In regard to the finding, when the number of members is uneven, the opinion of the majority shall prevail; when the number is even and the members are equally divided, the accused shall get the benefit of the doubt.

In regard to the sentence, the opinion of the majority shall prevail; when the members are equally divided, the chairman shall have the casting vote; when the opinions of members are all different (as in a full bench of three members), the opinion of the chairman shall prevail.

VIII.—No Bench
ted by any European
such case shall be forwarded to the Magistrate for disposal.

Circular No. $\frac{2245}{VI-860}$, dated 12th November 1886.

Rule VIII above forbids Benches or Honorary Magistrates to ... British

police officers and policemen are concerned.

Powers of—

Resolution No $\frac{2223}{VI-336}$, dated 10th December 1885.

The following conclusions have been adopted by Government regarding the powers with which Honorary Magistrates may now safely be invested :—

(a) that in the more important towns, where benches have been for some time established with success, the benches may now be invested in their corporate capacity with the powers of a Magistrate of the second class;

(b) that the benches may further be invested with the powers of summary trial specified in section 261 of the Code of Criminal Procedure;

(c) that they may also be invested with authority to take direct cognizance upon complaint or police report of the offences specified in section 261, clause (*b*);

(*d*) that selected Honorary Magistrates may be invested with the powers of a Magistrate of the first class for the disposal, when sitting as benches, of cases under chapter X of the Criminal Procedure Code (public nuisances) and chapter XXXVI (maintenance of wives and children).

In many districts the Magistrates have, under the powers given them by section 191 of the Criminal Procedure Code, voluntarily invested benches of the 3rd class with power to take cognizance of most of the classes of offences which are within their jurisdiction, and, especially where benches have their sittings in outlying municipalities, the Lieutenant-Governor is of opinion this authority may be conferred with advantage.

Honorary Magistrates. Allowance of a muharrir to—

Circular No. 95A., dated 3rd October 1878, and Circular No. 9, dated 23rd January 1879.

Allowances are granted to Honorary Magistrates for *muharrirs* only if they perform a fair amount of criminal judicial work. No rigid rule is laid down as to the amount of work that should be done, but Honorary Magistrates will be considered entitled to the allowance of a muharrir only if their work closely approximates to the standard originally laid down for Oudh, *viz*, the disposal of 120 cases per annum.

Commissioners should, after the close of each calendar year, ascertain whether the amount of work done during the year by each Honorary Magistrate or Honorary Assistant Commissioner, for whom an allowance has been sanctioned, warrants the continuance of the allowance, and submit a report to the Government in the event of their being of opinion that the allowance should cease.

Honorary Magistrates. Death of—Report of the—

G. O. No. $\frac{2359}{\text{VI—5B}}$, dated 1st October 1889.

On the occurrence of the death of any Special or Honorary Magistrate in a district, the fact should at once be reported by the District Magistrate for the information of Government.

STAGE CARRIAGES.

Rules for grant of licenses for—
Circular No. 1936A, dated 27th July 1861 (General).

The following instructions are to be observed by Magistrates in regard to the provisions of Act XVI of 1861 (an Act for licensing and regulating stage carriages) :—

Under the provisions of the Act, it is unlawful for any carriage answering to the "definition" given in section 1 of the Act to be used as a stage carriage, unless it shall have been licensed by a Magistrate.

G. O. No. 1380, dated 8th August 1883.

All Magistrates of districts in the North-Western Provinces and Oudh are authorized to grant licenses under Act XVI of 1861, as amended by Act XVI of 1876.

The offences for which penalties may be imposed under the Act, No. XVI of 1861, are—

1st—The letting for hire of a stage carriage without the particulars of the license being painted upon a conspicuous part of such stage carriage—sections 5, 6 and 11.

2nd—The letting for hire of a stage carriage without the same being licensed—section 7.

3rd—The permitting of a [illegible] to be drawn by a less number of [illegible] passengers or a [illegible] by license—section 8.

4th—The ill-treating of any horse* employed in drawing or harnessed to any stage carriage—section 9.

5th—Misconduct of drivers—section 12.

It is particularly necessary to enforce the penalties allowed by the law in all cases of neglect to conform to the provisions of section 5 of the Act, and to this end the District Superintendent of Police should bring to the notice of the Magistrate of the district, or to the nearest Magistrate, every case of the kind, even though the circumstances should not be such as to justify seizure of the carriage, &c., under section 11.

In the execution of Act No. XVI of 1861, a distinction is to be made between a "Magistrate" as interpreted in section 21 and the "Magistrate of a district" as defined in section 1 of Act V of 1861.

Whenever a complaint or information may be laid before any Magistrate of an infringement of any of the provisions contained in sections 6, 7 and 8 of the Act, he should call upon the person having care of the stage carriage, the driver, the proprietor or the proprietor's agent, as may be, to produce the license or copy of the

* See definition in Act XVI of 1876.

license authenticated by the Magistrate issuing the same. If the license or copy thereof should be produced, and there should be no reason to doubt the genuineness of it, the Magistrate will proceed to pass such order as, according to the circumstances of the case, may seem to him fit. If for any reason the license should not be produced, an application should be forwarded to the Magistrate, who may be known or ascertained to have issued the license, for an extract from his register, showing the particulars of the license in question, or for information as to whether a license was granted or not, or as to any other circumstances calculated to throw light on the case at issue.

It may be safely left to passengers to prefer complaints of the misconduct of drivers under section 12, but it is the duty of the police to report all cases of ill treatment of animals under section 9 of the Act.

The process for the recovery of penalties imposed under the Act is clearly laid down in sections 16 to 19.

Under section 23 it is not necessary to prove that an offence under this Act was committed within the local limits of the Magistrate to whom the complaint of such offence may be preferred.

G. O. No. 1938A., dated 27th July 1861 (General).

The following instructions are particularly for the guidance of Magistrates authorized to grant licenses :—

The Act does "not apply to carriages not ordinarily used for journeys of a greater distance than 20 miles."

Licenses are to be drawn in the form hereunder (A), of which printed copies should be kept in readiness.

A register will be kept up in the licensing Magistrate's office in the form (B) hereunder, and the particulars of every license granted will be entered in this register before delivery to the applicant.

A separate license is required for *each* carriage used as a stage carriage, and for each such license a separate payment of five rupees must be demanded and enforced before delivery of license. It is not sufficient, for instance, that a horse dák company having ten or more stage carriages in use should take out one license. A license must be obtained for every such stage carriage.

Neglect to conform to the requirements of section 5, or any evasion thereof must be promptly punished.

Each license will be in force for one year only from the date thereof, and any proprietor of a stage carriage who shall let such stage carriage for hire after the expiry of that period without renewing the license will be liable to the penalties prescribed in section 7 of the Act. And if, having renewed the license, he should let such stage carriage for hire without having conformed to the provisions of section 5, he will be liable to the penalties laid down in section 6 of the same.

The fees realized upon licenses are to be paid at once into the Government treasury, an acknowledgment being taken from the officer in charge of the treasury in the appropriate column of the register.

The amount of the license fees so paid into the Government treasury is to be credited to Government in the treasury accounts according to the instructions which the Accountant-General, North-Western Provinces and Oudh, may see fit to issue in that behalf.

The register is to be open to the inspection of any person who may apply to the licensing Magistrate for permission to refer to it.

Form A.

The license of a stage carriage is hereby granted, under the authority of Act XVI of 1861, sections 3 and 4, to be in force for the period of one year from the date hereof, according to the particulars set forth below :—

1	2	3	4	5	6	7	8	9
No. of license.	Date of license.	Name of proprietor of stage carriage.	Residence of proprietor.	Where head-office of proprietor is held.	Maximum number of passengers allowed to be carried in this stage carriage.	Maximum weight of luggage licensed to be carried in this stage carriage.	No. of horses by which this stage carriage shall be drawn.	Place at which licensed.

MAGISTRATE'S OFFICE, }
Dated the 189 . } *Magistrate.*

Form B.

Register of stage carriage licenses granted under Act XVI of 1861 by the Magistrate of

1	2	3	4	5	6	7	8	9	10	11	12	13
Year.	No. of license.	Date of license.	Name of proprietor of stage carriage.	Residence of proprietor.	Place of proprietor's head-office.	Maximum number of passengers to be carried.	Maximum weight of luggage to be carried.	No. of horses by which carriage to be drawn.	Date of payment of license fee.	Signature of officer in charge of treasury for receipt of fees, with date.	Date of expiry of license.	Remarks.

The following rules are prescribed by Government for enforcing the provisions of Act XVI of 1861, as amended by Act XVI of 1876, in the North-Western Provinces:—

Rules for enforcing the provisions of the Act.
Circular No 33, dated 30th July 1877.

I.—No four-wheeled vehicle to be used as a stage carriage shall be licensed to be drawn by less than two horses, ponies, mules or bullocks, but a license may be given for a carriage drawn by one camel.

II.—No such carriage shall be licensed to carry more than four adult passengers and four maunds of luggage, if drawn by horses, ponies or mules, or more than 12 adult passengers and 3 maunds of luggage, if drawn by a camel or by bullocks. In reckoning weights, every adult passenger shall be considered as equivalent to 1½ maunds of luggage, *i. e*, a bullock-carriage may carry 14 adult passengers without luggage, or ten adult passengers and 6 maunds of luggage, or 12 adult passengers and 3 maunds of luggage, and so on. Two children will be considered as equivalent to one adult if they are both over six years of age.

III.—Every person, other than the coachman and one syce, who is conveyed on a carriage is considered to be a passenger.

IV. *Every stage carriage shall, before being licensed, be* inspected by the Magistrate who grants the license, or other officer appointed to inspect such carriages; and if the wheels, doors, windows, or any other part of such carriage are found to be in a weak or dilapidated condition, or the cushions or linings in a carriage drawn by horses, ponies or mules, dirty or torn, it shall be considered unfit for use, and license shall be refused. Every camel carriage shall, on pain of the like penalty, be provided with a high seat for the driver, enabling him to see the way clearly before him over the camel's back.

V.—If a carriage is found at any subsequent time defective in any of the above particulars, and after due notice is not put into thorough order, the license will be withdrawn.

VI.—Any person who drives, or causes to be driven, any horse, pony, mule or bullock, in any licensed carriage, for a longer distance than two stages of six miles each, or any camel for a longer distance than two stages of eight miles each, within 24 hours, shall be considered to have overdriven such animal.

As amended by G.O. No. $\frac{1676}{VI-326}$ 1st July 1892.

VII.—No animal with galled shoulder or other open wound, or which goes lame, or is weak, broken-winded, or otherwise in bad condition, will be *considered serviceable and fit for public use*, and any person driving, or causing to be driven, any such animal before it has been certified by competent authority to be again fit for use, will be punishable under Act XVI of 1861.

The fees realized upon licenses are to be paid at once into the Government treasury, an acknowledgment being taken from the officer in charge of the treasury in the appropriate column of the register.

The amount of the license fees so paid into the Government treasury is to be credited to Government in the treasury accounts according to the instructions which the Accountant-General, North-Western Provinces and Oudh, may see fit to issue in that behalf.

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No. of license.	Date of license.	Name of proprietor of stage carriage.	Residence of proprietor.	Where head-office of proprietor is held.	Maximum number of passengers allowed to be carried in this stage carriage.	Maximum weight of luggage licensed to be carried in this stage carriage.	No. of horses by which this stage carriage shall be drawn.	Place at which licensed.

MAGISTRATE'S OFFICE, } *Magistrate.*
Dated the 189 . }

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1	2	3	4	5	6	7	8	9	10	11	12	13
Year.	No. of license.	Date of license.	Name of proprietor of stage carriage.	Residence of proprietor.	Place of proprietor's head-office	Maximum number of passengers to be carried	Maximum weight of luggage to be carried.	No. of horses by which carriage to be drawn.	Date of payment of license fee.	Signature of officer in charge of treasury for receipt of fees, with date.	Date of expiry of license.	Remarks.

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MAGISTRATE'S OFFICE, }
Dated the 180 . }

Magistrate.

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1	2	3	4	5	6	7	8	9	10	11	12	13
Year.	No. of license.	Date of license	Name of proprietor of stage carriage.	Residence of proprietor.	Place of proprietor's head-office	Maximum number of passengers to be carried.	Maximum weight of luggage to be carried.	No. of horses by which carriage to be drawn.	Date of payment of license fee.	Signature of officer in charge of treasury for receipt of fees, with date	Date of expiry of license.	Remarks.

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unfit for use, and license shall be refused. Every camel carriage shall, on pain of the like penalty, be provided with a high seat for the driver, enabling him to see the way clearly before him over the camel's back.

V. If a carriage is found at any subsequent time defective in [illegible] nd after due notice is not put into [illegible] e withdrawn.

VI.—Any person who drives, or causes to be driven, any horse, pony, mule or bullock, in any [illegible] than two stages of six miles [illegible] than two stages of eight mile [illegible] dered to have overdriven such animal.

As amended by G. O. No. $\frac{1676}{VI-32C}$ 1st July 1892.

VII.—No animal with galled shoulder or other open wound, or which goes lame, or is weak, broken-winded, or otherwise in bad condition, will be considered serviceable and fit for public use; and any person driving, or causing to be driven, any such animal before it has been certified by competent authority to be again fit for use, will be punishable under Act XVI of 1861.

VIII.—Every horse, pony or mule employed in a licensed carriage must be provided with a properly fitting chest-band or collar. Every bullock or camel must be harnessed or yoked in such a manner as shall satisfy the Magistrate. Any animal not so fitted will be considered as used with unserviceable harness, and the proprietor of any stage carriage in which such animal is employed will be liable to cancelment of its license.

IX.—Magistrates will keep, or cause to be kept, a register showing the following details :—

(1) Name and residence of any person or company running stage carriages in his district.

(2) Name of each staging-place in the district.

(3) Number of animals kept by the said person or company at each such stage.

(4) State of the animals at each stage when inspected.

(NOTE —Inspection should, if possible, be made weekly, especially in the busy season)

X.—Any proprietor, agent or driver of a carriage who knowingly permits it to be drawn by a less number of animals than is specified in the license, or to carry more passengers or luggage than is provided in the license, is liable for the first offence to a fine of Rs. 100 and for any subsequent offence, to a fine of Rs 500. And the proprietor of any such carriage shall be held to have knowingly permitted such offence, unless he can be shown to have taken every reasonable precaution and to have made reasonable provision to prevent its commission.

XI.—The roads or lines of traffic upon which stage carriages are to be used shall be specified in the license.

XII.—Stage carriages shall ordinarily be licensed only at the headquarters of the proprietor or company to whom they belong. When otherwise, Magistrates shall, before granting the license, ascertain from the headquarters district the number of carriages already licensed and the number of animals provided at each stage; and unless it be shown that arrangements have been made for a sufficient number of animals to draw the carriages, licenses shall be refused.

XIII.—Every person applying for a license shall give the name or names of the chief responsible person or agent at every place on the line where passengers can be booked; the names to be entered in the Magistrate's register.

(See also Police Regulations and Orders.)

TEMPORARY BUILDINGS.

Temporary theatres. Danger of fire in—
Circular No 74A, dated 24th July 1878.

The following are extracts regarding the outbreak and fatal consequences of a fire which occurred in a temporary theatre within the military cantonment of Ahmadnagar. This Government concurs in the opinion expressed by the Commissioner in his 3rd paragraph. Paragraph 4 should be brought to the notice of the various municipal committees in these provinces.

Extract from the finding of the District Magistrate of Ahmadnagar.

1st.—The position of the "*mandwa*" was ill-chosen. Being placed in an angle of a strong stone wall, there was absolutely no hope of egress on two sides.

2nd.—There was not sufficient doorway left for the persons occupying the 1st, 2nd and 3rd class seats. The confusion which resulted from the deficient means of egress has been graphically described by many witnesses whose evidence has been recorded. Had there been another entrance to the 3rd class seats, the mortality might not have occurred. As it was, people were trampled underfoot and huddled one upon the other in a seething mass, while burning cloth and rafters were falling on them.

3rd.—The very combustible nature of the materials with which the "*mandwa*" was constructed. The whole building was burnt down in the course of a very few minutes. The old tent cloth used for the outside covering is very inflammable; bamboos burn almost quicker than any other wood; while the thin sheeting of which the ceiling was composed must have been consumed almost instantaneously.

4th.—The bamboos laid across the roof were tied to the main beams with thin rope. The consequence was that the ropes were soon burnt and the roof fell in. Had they been attached with nails, the calamity might have been considerably reduced.

5th.—The kerosine lamps were suspended from the roof by pieces of rope. The consequence [illegible]
through, and the lamps mu[illegible]
scattering the burning oil. [illegible]
iron rods.

6th.—The 3rd class seats were ranged from side to side of the "*mandwa.*" There was no gangway left either down the middle or down the sides. This close packing without free space of any kind must have added greatly to the difficulty of egress and increased the confusion.

Extract paragraphs 3 and 4 of a Memorandum, No. 1011*P, by the Commissioner, Customs Department, dated Poona, the 27th May* 1878.

Paragraph 3.—The main lesson to be drawn from this sad accident is the necessity of not allowing any such places to be opened

for public amusement till the authorities are satisfied that sufficient care has been taken to ensure the safety of the public, and that, in case of any accident, sufficient means of egress have been provided.

4. I am glad to notice that the District Magistrate and Collector is referring this point to the municipality, in order that what is required may be inserted in the bye-laws of the municipality. In order that this important point may be attended to in other districts, I will specially address the different District Magistrates in my charge. I would, however, venture to suggest that it would be better were Government to issue a general order on the subject.

TRANSFER OF CRIMINAL CASES.

Transfers of criminal cases. Application for— Circular No. $\frac{11}{VI-412\text{-}2}$, dated the 18th August 1894.

Every application to the High Court or to the Judicial Commissioner for the exercise of the power conferred by section 526 of the Code of Criminal Procedure must be made by motion supported by affidavit or affirmation

Any Sessions Judge or any Magistrate desiring to have an application made to the High Court or to the Judicial Commissioner under section 526, should send to the Government Pleader, High Court, or to the Government Pleader for Oudh, as the case may be, an affidavit setting forth the grounds which exist for the exercise of the power conferred by the section, and desire him to move the High Court or the Judicial Commissioner to exercise that power.

General instructions as to the mode of preparing affidavits will be found in the Civil Rules and Orders of the High Court of April 1894 and in the Rules, Orders, &c. for courts subordinate to the Judicial Commissioner of Oudh.

The additions made to section 526, Act X of 1882, by section 11, Act III of 1894, and the new section, numbered 526A, inserted after section 526 by the Act last named, should not be lost sight of in such cases.

TRANSMARINE CONVICTS.

Examination of—before deportation.
Circulars Nos 23A, dated 14th April 1868, and 50A, dated 10th December 1869.
G. O. No. $\frac{466}{VI-494B}$, dated 1st March 1890.
G. O. No. $\frac{2537}{VI-622B}$, dated 31st August 1893.

EVERY convict whose sentence of transportation it is intended to carry into effect shall, before he is sent to the port of embarkation, be examined by a committee consisting of one full-power Magistrate and the Superintendent and Medical Officer of the Prison, which shall meet at the Central Prison on the requisition of the Superintendent on the first day of each month, from October to March inclusive, and shall examine all prisoners confined in the prison under sentence of transportation for life, *i.e.*, all males sentenced to transportation for life, and all females sentenced to transportation for seven years and upwards, who are either unmarried or widows, or who have been divorced or repudiated by their husbands, and who are thus free to marry.

If, on examination, the convict under sentence appears to have passed his 45th year, or is from infirmity or disease unfitted for hard labour, the committee will submit a report accordingly to the Inspector-General of Prisons for the orders of Government, and such convict shall not be sent from the jail in which he is confined until the orders of Government are received. The committee will specify in their report whether the infirmity or disease is of a chronic or temporary nature.

Escaped transmarine convicts.
Circular 20A, dated 21st August 1874.

THE following procedure should be observed upon the recapture of an escaped transmarine convict. The police who have arrested a person upon the charge of having escaped will apply to the Magistrate before whom the accused has been brought for an adjournment to enable them to ascertain whether a warrant has been received from Port Blair for his recapture. Enquiry should be made at the Home Department of the Government of India if no warrant has been received by the police of the province in which the convict has been arrested. In all cases of escape by a life-convict the Superintendent of Port Blair or other Magistrate having jurisdiction, as soon as the fact of escape is known, should issue a warrant charging him with having committed an offence under section 224, Penal Code, to the chief of the police of the province or administration in which the convict is known, or is likely to be found, and should also forward a warrant forthwith to the Home Department. If the warrant is forthcoming, the Magistrate by whom the case is being inquired into will decide whether there is any reason why the accused should not be removed in custody, under section 186, Criminal Procedure Code, to the Magistrate at the Andamans who issued the warrant. In the case of term-convicts if no warrant has been issued, the inquiry will be concluded and the prisoner will be tried on the mainland.

Rules regarding the release of life—
Home Department Resolution No. $\frac{11}{1437\text{-}99}$, dated 10th November 1881.

Any life-convict sentenced for dakáiti may be recommended for release by the officers in charge of the penal settlement after 25 years of transportation in the case of a convict at the Andamans, and after 30 years in the case of a convict in British Burma and the Straits Settlement: provided that the convict in whose behalf such a recommendation is made is considered to have earned a claim to the indulgence by a sustained course of good conduct in transportation. On receipt of the recommendation by the Government of India, the Local Government from whose jurisdiction the convict was transported, will be asked to report whether he belonged to any professional gang, or was known to be a hereditary dakait; also whether any members of his family, or any of their connections, [illegible] be sanctioned subject to the foregoing or such further conditions, if any, as the Local Government concerned may think fit to suggest, and as may commend themselves to the Governor-General's Council.

In the case of life-convicts under sentence for dakáiti whose health may have broken down at the penal settlements, it will be within the competence of the authorities in charge of the settlements to recommend release before the expiry of the periods specified in the preceding paragraph. In these cases the Governor-General in Council will be prepared to consider the question of releasing them, provided that there is no valid objection to this, and that they have friends or relatives who are able and willing to support them.

These orders may be held to apply to prisoners convicted of any other class of organized crime not being thagi or robbery by administering drugs. In the case of life-convicts other than the above, orders will in each case be passed by the Government of India without reference to the Local Government concerned.

[*For additional rules relating to transmarine convicts see Jail Manual.*]

UNCLAIMED AND IMPOUNDED PROPERTY.

Rules for disposal of—Circular No. 32, dated 15th September 1882.

THE Lieutenant-Governor and Chief Commissioner is pleased to issue the following instructions for the guidance of District Officers regarding the disposal of property of the following kinds when such property is forwarded to the headquarters of a district:—

(I)—Unclaimed property taken charge of under section 25 of the Police Act, 1861, including in Oudh the personal property of persons dying intestate, to which there is no claimant.

(II)—Movable property seized under section 415 of the Code of Criminal Procedure.

(III)—Weapons and other articles sent to a Magistrate under section 127 of the Code of Criminal Procedure.

(IV)—Movable property seized as liable to confiscation or forfeiture, or confiscated or forfeited, under the Gambling, Indian Salt, Opium, Forest, Arms, Cantonments, Excise or other Act.

(V)—Movable property belonging to an accused person or to a convict, including articles referred to in section 357 of the Code of Criminal Procedure.

(VI)—Movable property attached under section 172 or 353 of the Code of Criminal Procedure.

(VII)—Movable property distrained in default of payment of fines, penalties of forfeited bonds or fees ordered to be repaid under section 31 of the Court-fees Act, 1870.

1. An abstract list of all property that is taken possession of by the police is made in the general diary, a duplicate of the entries in which is forwarded daily to the District Superintendent of Police.

Every entry relating to such property will be marked in the office of the District Superintendent, and when the duplicate of the general diary is sent to the Magistrate, a separate extract of each such entry will be prepared by the court police officer, and made over by him to the reader (peshkar). When the papers relating to the property come before the Magistrate, the extract will be filed by the reader with the record. If an extract is not so disposed of within one week from the date on which it was prepared, or if a subsequent description of the property differ from that contained in the extract, the reader will lay the extract with a report before the Magistrate for orders.

2. Livestock and bulky property taken possession of, under section 25 of the Police Act, 1861, or attached, distrained or seized under section 172, 307, 353 or 415 of the Code of Criminal Procedure, is

ordinarily, pending the orders of the Magistrate, left at the place where it was found, in the charge of some landholder or other respectable person willing to undertake the responsibility of its custody, and to produce it when required by the Court.

3. Property forwarded to headquarters is sent direct to the Court Inspector, numbered and labelled, and accompanied by a full and accurate description in duplicate. If the property correspond with the description, the Court Inspector returns one copy to the officer who brought the property from the police station.

4. *The Court Inspector will then, before sending the papers to the Magistrate, enter unclaimed property, or property seized under section 415 of the Code of Criminal Procedure, in his malkhana register of unclaimed (ládawa) property, weapons and other articles sent under section 127 of the Code of Criminal Procedure, and moveable property seized as liable to confiscation or forfeiture, in his malkhana register of impounded (mukaddamati) property, and moveable property belonging to an accused person or to a convict, or attached under section 172 or 353 of the Code of Criminal Procedure, or distrained in default of payment of fines, penalties or fees, in his malkhana register of miscellaneous property (mal-*

[illegible]

5. Unless the Magistrate otherwise direct, property of every description will remain in the custody of the Court Inspector until it is restored, or is sent to the prison with the convict, or is sold, or, in the case of cash, is ordered to be credited to Government or to some fund.

Cash and articles of value will be kept by the Court Inspector in his safe. If cash be ordered to be credited to Government or to some fund, the departmental clerk will prepare an invoice in duplicate, and send the same, with a copy of the order, to the Court Inspector, who will thereupon pay the money into the treasury, sending with it his malkhana register and the two invoices. The Treasury Officer, on receipt of the money, will sign the register in the column provided for that purpose and one of the invoices, and return them to the Court Inspector. The invoice so returned to the Court Inspector, and the copy of the order with his report endorsed thereon, will be sent by him to the court and there be filed with the record.

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in the pound, or, with the permission of the court, they may be made over to him on his undertaking to produce them when required.

6. The papers relating to all property forwarded to the head-quarters of the district, including one copy of the description mentioned in paragraphs 3 and 4, will be made over by the Court Inspector to the reader of the Court of the Magistrate, and distinct orders respecting the property will be passed by the Magistrate and entered on the order sheet of the record on the day on which the papers are received from the Court Inspector.

7. Articles found on a person after conviction will be entered by the Court Inspector in the register of miscellaneous property, and a certified extract from the register will be forwarded by him to the court to be filed with the record.

8. If property is to be restored or is to be sent to the prison with the convict, the Court Inspector will obtain an order on the order sheet to that effect: and on delivering the property to the persons entitled or authorized to receive it, will take from him an acknowledgment on the malkhana register, and a separate receipt, which will be filed in the record with his report. The receipt for property restored will be on a printed form (Appendix A) and will be prepared free of charge by the Court Police Officer.* Whenever it may be practicable, the property will be delivered in the presence of the officer ordering the delivery, who in such case will certify in the register that the property was so delivered.

* Amended by G. O. No. 2662/VI—633B, dated 15th September 1891.

9. If the property is to be sold, an order to that effect will be recorded on the order-sheet, and a warrant of sale be issued to the nazir.

10. Sales will be held under the superintendence of a Deputy Magistrate at noon on a fixed day in such week or in such month as the Magistrate of the district may direct, or, if that day be a holiday, on the next office day following.

11. On receipt of the warrant the nazir will give such reasonable notice of the sale as the Magistrate may direct, or as circumstances admit of, and will take over the property from the Court Inspector, and give him a receipt for it on the malkana register.

12. After the property has been sold the nazir will pay the proceeds into the treasury; and the treasury receipt, with the warrant of sale and the nazir's report to the Magistrate, of the result of the sale endorsed thereon, will be filed in the record.

13. The nazir will keep a sale register in the form prescribed† by the Board of Revenue, and before sending the record of a case, in which property has been sold into the record-room, the reader

†Circular No. 22, form No. II.

of the Magistrate's court will certify on the warrant that all articles ordered to be sold are included in the lots described in the register.

14. The record-keeper must refuse to receive the record if the receipt for property restored or sent to the prison, or the treasury receipt for cash ordered to be credited to Government or to some fund, or the treasury receipt for the sale proceeds of property sold and the reader's certificate be wanting.

15. The police officer fulfilling the duties of Court Inspector to the court of a Magistrate, who is in camp or located elsewhere than at the headquarters of the district, will observe the rules hereinbefore prescribed for the guidance of the Court Inspector, so far as such rules can be made applicable.

16. The foregoing rules do not refer to immovable property ordered by a criminal court to be sold. If such property be ancestral as defined in the notification of the Government of the [illegible] No. 671, dated 20th August [illegible]

[illegible]

No. $\frac{6}{II-316}$, dated 21st December 1881. Other immovable property will be sold by the nazir or kurk amín. The treasury receipt for the sale proceeds will be attached by the officer who conducted the sale to his report and be therewith filed in the record.

APPENDIX A.

Receipt.

Received from the Court Inspector of ——————— the undermentioned property in the case of ———— this ———— day of ——————— 189 .

(Here specify property.)

Countersigned.

Court Police Officer.

Court Inspector. *Recipient.*

G. O. No. $\frac{212}{VII-10}$ dated 22nd April 18[illegible].

In Circular No. 32, dated the 15th September 1882 (printed at page 260 ante), instructions were issued regarding the disposal of property of certain kinds when forwarded to the headquarters of a district. It has been brought to notice that no rule has at any time been made to provide for cases in which it is necessary to dispose of such property on the spot.

In such cases the produce should be the same as when it is necessary to sell property attached for realisation of fines for which reference may be made to page 149 *ante;* and rule 5, page 24 of the General Rules and Circular Orders (Criminal) issued by the High Court of the North-Western Provinces.

For convenience of reference, the rules above referred to are reproduced below:—

Part I, Manual of Government Orders.

"If it be necessary to sell the property so attached, this duty shall, under the orders of the Magistrate, be performed as follows:—

(i) at the headquarters of the district by the Magistrate's nazir;

(ii) in other places, by the kurk amín; or where there is no kurk amín, by the person who ordinarily performs the duties of kurk amín."

Rule 5, page 24 of the High Court's General Rules and Circular Orders (Criminal).

"Money realised by a police officer or by a Magistrate's názir or by a kurk amín in execution of a warrant will, with as little delay as possible, be sent by him to the treasury or sub-treasury, with a pass-book (form E), and an extract therefrom in duplicate respecting each item entered therein.

"The officer in charge of the treasury or sub-treasury will, on receipt of the money, sign the pass-book and one of the extracts, and return them.

"The extract so returned will be forwarded by the officer in charge of the police station, názir or kurk amín to the court which ordered the payment, or, if that court be the Court of Session, to the District Magistrate."

FORM E.

Pass-book.

Date.	Serial number of remittance.	Date of warrant.	Warrant by whom issued.	Number of trial or case.	Amount.	How to be credited.	Signature of officer in charge of treasury or sub-treasury.	Remarks.
1	2	3	4	5	6	7	8	9

Police not to disturb possession.
G. O. No. $\frac{214}{VII\ 398}$, dated 11th March 1887.

CASES have recently come under observation in which the language of section 25, Act V of 1861, has been misunderstood. The police are by law required to take charge and furnish an inventory of unclaimed property. But these provisions do not sanction interference where property is under lock and key, or other signs exist from which it may be inferred that such property is still the subject of possession by the original owner.

The police should be careful to abstain from interference in cases of this kind, and also in cases when property, though previously unclaimed, has passed into the hands of an innocent finder.

VAGRANTS.

Local charitable committees for relief of—
Circular No. 13A, dated 26th March 1866 (General).

An account having been forwarded to the Government of India of the proceedings and management of a charitable association at Allahabad, the Government of India desire that endeavours might be made to induce local committees to attempt the introduction of similar measures wherever European vagrants were likely to be found. Orders were issued by the Government, North-Western Provinces, accordingly.

The plan on which the Honorary Secretary to the Allahabad Charitable Association proceeded is described by him as follows:—

When a man has good certificates and could satisfy me that he had some chance of obtaining employment in Allahabad, but was altogether without the means of staying here or of going on, I give him admission to the *Home* (this was a sarai roughly fitted up as a rest-house) for a period varying from three to twenty days, when he was fed on a contract rate of six annas a day, his clothes washed, and his hair cut *gratis*. If there appeared some chance of his obtaining employment elsewhere, if he only had the means of transport, I gave a ticket per rail to the station to which he desired to go. If he had no certificate whatever, could give no satisfactory [illegible] worthless vagrant, I persuaded him [illegible] ort. In all cases [illegible] -country, and thus [illegible] being a nuisance to stations which could less easily take care of them or support them than we could; and as they could get [illegible] money at Allahabad, they were generally glad to take my pass and go down-country. In no case was money given for long journeys, as to Delhi or Calcutta. By an arrangement with Messrs. Kellner and Co. the vagrant was fed at the different second class refreshment rooms along the line. In order to know what way to benefit all workmen and others who were really deserving, I placed myself in communication with employers of labour in various parts of the country, and thus was able to say whether there was any likelihood of the applicant obtaining what he was in want of if he went up country. Many obtained employment in Allahabad after waiting at the Strangers' Home for a short time.

* * * * *

And as the vagrants who did not want labour could get [illegible] money and would not be satisfied with the rough, plain fare of the Home, they ceased to frequent Allahabad, or, having come, [illegible] left it.

No. 48, dated 4th August 1880.

Free passes should under no circumstances be granted by Charitable Associations to vagrants, European or Eurasian, unless the applicant can satisfy the Secretary to the Committee that he has reasonable prospect of employment and is *bonâ fide* only temporarily in distress. In doubtful cases a reference should be made to

the Magistrate, and the pass only granted after that officer has satisfied himself, by inquiry, of the probability of the applicant obtaining employment. Magistrates should use their influence to discourage the granting of free passes to Allahabad or elsewhere to persons who have no reasonable prospect of finding employment there.

Legal measures effecting—in the N.-W. P. Circular No. 1, dated 23rd May 1871.

The following are rules framed by the Governor-General in Council for the guidance of officers in matters connected with the enforcement of Act IX of 1874 (the European Vagrancy Act):—

I.—The expression "person of European extraction" includes for the purposes of the Act and these rules (1) persons born in Europe, America, the West Indies, Australia, New Zealand, Tasmania, Natal and the Cape Colony; and (2) the sons and grandsons of such persons: but does not include persons commonly called Eurasians or East Indians.

II.—For the arrest and custody of vagrants, European or Eurasian police officers shall, whenever it may be practicable, be employed in preference to native police officers.

III.—Whenever any person, apparently a vagrant, refuses or fails to comply with any requisition made by a police officer under section 4 of the Act,

whenever any person of European extraction commits an offence under section 23 of the Act in view of a police officer, and whenever any police officer has reason to think that such offence has been or is being committed, the person so refusing, failing or offending may be forthwith arrested without warrant by the police officer for the purpose of being produced in the usual manner before the officer empowered to deal with the case.

IV.—The "subsistence allowance" of the vagrant shall not ordinarily be made over to him, but shall be kept and disbursed on his account by the police or other officer in whose custody he is for the time being.

[illegible] r section 9 unless there [illegible] person applying for it is [illegible] chance of obtaining it, and is of quiet and orderly behaviour.

VI.—The certificates shall be printed on parchment or paper of very durable character, and shall be in English, with translations in the two principal vernacular languages of the territories under the Local Government.

VII.—The time allowed under section 16 for search after employment shall not ordinarily exceed two months, and shall not in any case exceed six months.

VIII.—In the presidency towns the Commissioner of Police, and elsewhere Magistrates with full powers, being also Justices of the Peace, shall be competent to act on behalf of the Secretary of State in Council in making agreements under section 17.

IX.—All such agreements shall be executed in duplicate, and the officer executing on behalf of the Secretary of State in Council shall retain one of the copies.

X.—When an agreement has been entered into by a vagrant under section 17, he shall be forwarded, along with the original agreement, in the charge of a police officer to the officer at the port of embarkation who is empowered by the Local Government to receive vagrants; and thereafter and until his embarkation he shall remain in the custody of that officer, or of such other officer as the Local Government empowers in this behalf.

He shall during such time be entitled to subsistence allowance at eight annas per diem, to be disbursed as directed in rule IV.

XI.—Local Governments within whose jurisdiction ports are situated shall make all necessary arrangements for the reception and custody of vagrants sent for deportation by other Local Governments or authorities in the interior. They will from time to time, as may be necessary, give notice of such arrangements to the forwarding authorities.

XII.—Road expenses shall be provided by the forwarding authority. All further expenses incurred in proceedings under chapter IV of the Act shall be defrayed by the Local Government of the port of embarkation on account of the Secretary of State in Council.

XIII.—No agreement for deportation shall be entered into with any person of European extraction born in this country, and who has never been out of it, unless he satisfies the Local Government that he is likely to gain a livelihood in some place out of India.

XIV.—The officer empowered to direct the deportation of vagrants will see that no unnecessary time is lost for providing passages for those who have entered into agreements to be deported. As a rule, Europeans should be sent to Europe, Americans to America, West Indians to the West Indies, Australians to Australia, and New Zealanders to New Zealand. But the local authorities will exercise their discretion in sending vagrants to other countries than their own when it appears that such a course will be for their advantage, and that they will be favourably received on arriving at their destination.

XV.—Descriptive rolls and, as far as possible, photographs of all persons deported shall be kept by the Local Governments or Administrations within whose territory the ports are situated.

Circular No. 1A, dated 23rd May 1871.

The following are orders on minor points not provided for in the above rules:—

Section 8 of the Act, clause 3.—The subsistence allowance of eight annas per diem to each vagrant should be disbursed under the orders of the Magistrate, and may be charged for in his judicial contingent bill. Special provision to meet the charge is made in the budget.

Section 9 should be read with paragraphs 5 and 6 of the rules. Copies of certificates in English, Urdu and Hindi for use under rule 6 are supplied to Magistrates from the Government Press.

Section 11.—Magistrates should forward to Allahabad any vagrants from their districts whom they may order to be sent to a workhouse.

Section 16.—All cases in which employment cannot be found for a vagrant, and his deportation is thought necessary, should be reported to Government through the Commissioner of the Division.

Section 17.—The officers empowered to make agreements beyond the limits of the presidency towns are Magistrates with full powers, being Justices of the Peace. No agreement must be made without the Lieutenant-Governor's sanction on a report which should be forwarded through the Commissioner of the Division.

Note.—By G. O. No. 850, dated 5th July 1875, the powers and duties conferred and imposed by sections 16 and 18 of the Act on the Local Government were delegated to the Commissioner of the Allahabad Division.

Section 27.—Prosecutions should be conducted by the District and Assistant Superintendents of Police.

In the event of the provisions of the Act having been applied in any district, a concise report of the results is to be submitted by the Magistrate for the information of Government, through the Commissioner, at the end of the calendar year.

Circular No. 31A, dated 17th November 1875.

Under the terms of section 6, the transfer of European vagrants from the North-Western Provinces to the other provinces is con- [illegible] vagrant [illegible] isdiction [illegible] f a local administration to another.

Vagrants arrested within the limits of the North-Western Pro- [illegible] lance with the terms [illegible] law, in cases of arrest [illegible] one part of the pro- [illegible] e permitted on good [illegible] obtaining employment. In [illegible] under Parts III and IV of [illegible] Government workhouse at [illegible]

FORM III.—(GOVERNMENT WORKHOUSE).

Statement showing the operation of the European Vagrancy Act, IX of 1874, for the year ending the 31st December 189 .

1	2						3				4															5
	*NATIONALITY.						AGE.				PREVIOUS OCCUPATION.															
	a.		b.	c.	d.	e.†	a.	b.	c.	d.	a	h.	c.	d.	e.	f.	g.	h.	i.	j.	k.	l.	m.	n.	o.	
Workhouse.	Number of Europeans. British-born subjects.	Others.	Number of Americans.	Number of Australians.	Number belonging to other classes of British-born subjects.	Total of columns a to d.	Under 16.	16 to 40.	40 to 60.	Above 60.	Sailors.	Soldiers.	Grooms.	Shopkeepers and traders.	Clerks and others holding similar ministerial offices under Government.	Clerks and others holding similar ministerial offices in private firms, &c.	Mechanics	Railway guards, drivers, fitters, platelayers, and others holding similar appointments under railway companies.	Carpenters, shoemakers and others in similar occupation.	Laborers.	No occupation.				Other professional occupations.	Total.

* The nationality only of persons admitted during the year should be shown.

† The figure in this column should agree with column 6, form I.

FORM IV.—(EXPENDITURE).

Statement showing the operation of the European Vagrancy Act, IX of 1874, for the year ending the 31st December 189 .

Division.	Average daily population of workhouse during the year.	Expenditure under section 8, Act IX of 1874.	Expenditure in removal from British India under section 16.	Expenditure in workhouse.						Charges connected with the working of the Act, not accounted for in previous columns.*	Total cost to Government (columns 2, 3, 8 and 10).	Remarks.
				Clothing and rations.	Hospital charges.	Establishment.	Contingencies and miscellaneous.	Total of columns 4, 5, 6 and 7.	Average cost of each inmate of workhouse during the year (column 8)			
	1	2	3	4	5	6	7	8	9	10	11	12

* To be explained in column of remarks.

Vagrants not deported may be sent to Bombay.

G. O. No. $\frac{1131}{VI-215}$, dated 24th June 1885.

THE Bombay Government are willing to make arrangements to procure employment for vagrants or to arrange for vagrants working their passage home in cases in which the vagrants have been induced by the offer of a free pass to transfer themselves from these Provinces to Bom[illegible] but the arrangements should be on the part of the vagrants a[illegible] therefore, vagrants who are will[illegible]ld be sent down under a free pass, [illegible]hem under police escort without any deportation agreement should be discontinued. The vagrants should be subject to no restraint in such cases, but information should be sent to the Commissioner of Police, Bombay, of the probable time of arrival of the vagrants there, and particulars of the case should be communicated to that officer.

VILLAGE HEADMEN.

Appointment of— G. O. No $\frac{1203}{\text{VI—438C}}$, dated 5th May 1894.

The following rules have been made provisionally by the Local Government under section 45A of the Criminal Procedure Code, 1882:—

1. The District Magistrate shall appoint one or more village headmen for the purpose of section 45, Criminal Procedure Code, in each inhabited village in his district: Provided that if one or more outlying hamlets be included within the *hadbast* of the village, the Magistrate may, at his discretion, refrain from appointing a separate headman in each hamlet. A headman will not be appointed in a village which is uninhabited.

2. No person who is not a resident of the village shall be appointed village headman in it.

3. The revenue lambardár of the village, if a resident of it, shall, in the absence of exceptional circumstances, be appointed village headman in preference to any other person.

4. If there be more resident lambardárs than one, the Magistrate will appoint as many of them to be village headmen as he may consider to be required, regard being had to the population of the village and the predominant castes of the inhabitants.

5. If there be no lambardár resident in the village, the Magistrate, in consultation, so far as may be possible, with the lambardárs and other proprietors of the village lands, shall select and appoint a headman or headmen from among the residents of the village.

6. In appointing village headmen the Magistrate shall have regard to character, position and influence. In districts where mukaddams or representatives of the tenantry are recognized by custom, the appointment of such persons to be headmen will be appropriate whenever the landowners are non-resident.

7. A [illegible] of village headmen in the tahsil shall be main- [illegible] station shall be furnished [illegible] villages within its jurisdiction.

8. When a village headman proposes to be absent from the village for a considerable time, he shall nominate a substitute for the Magistrate's approval and inform the tahsildar verbally or in writing.

9. The police shall have no connection with the appointment of, and no authority over, village headmen.

Reports to be made by—and others.
G. O. No. $\frac{1203}{VI-438C}$, dated 5th May 1894.
G. O. No. $\frac{2809}{VI-438C}$, dated 6th July 1894.

The following are the matters of which the Government has authorized Magistrates to direct the communication of information under section 45F of the Criminal Procedure Code:—

(a) The circulation of letters or notices or signals, more especially when these enjoin or denote concerted action of any kind, lawful or unlawful;

(b) the visits of itinerant lecturers and preachers;

(c) the collection of funds for any common purpose, lawful or unlawful;

(d) the meetings of *sabhas* or other similar associations, whether the object be lawful or unlawful;

(e) the possession of unlicensed arms by persons within the villages in which they have to report the occurrence of serious crime generally;

(f) the passage through, or assembly in, the village of a body of persons associated, or suspected of being associated, for a common illegal purpose.

WHIPPING.

WHEN a sentence of whipping has been passed upon an adult, the punishment shall be inflicted on the buttocks with a rattan, which shall be at least 4 and not more than $4\frac{1}{2}$ feet in length and from 1 to $1\frac{1}{2}$ inches in circumference.

How inflicted.
Notification No. 69A, dated 12th March 1864, and No. 684, dated 21st March 1864.

In all cases where practicable, a medical officer should be present at the time of infliction of the penalty ; or, failing this, a medical certificate should be obtained of the culprit being in a fit state of health to undergo the punishment awarded.

IN the North-Western Provinces, some chaprasi or khalasi on the regular establishment should be employed to inflict the punishment of whipping, and no extra charge should be incurred thereon.

—to be done by the regular establishments.
Circular No. 17A, dated 2nd March 1865 (N.-W. P. only).
No. 54, dated 29th May 1879.
No 40A, dated 24th March 1880 (Oudh only).

In Oudh, the payment of Re. 1 per mensem is sanctioned to the peon or chaprasi attached to the magisterial courts in each district who is appointed to adminster sentences of whipping on convicted criminals. This allowance is exclusive of the cost incurred on account of necessary ropes, canes, &c.; these should be purchased at the expense of the State, and charged in the judicial contingent bills.

THE discretionary power of substituting a whipping for other kinds of punishment prescribed by the law should be exercised cautiously in the case of adults. The object of the law is to enable courts to deal effectually with reckless offenders or persons belonging to the habitually criminal classes who are too poor to pay a fine, [illegible] deterred from crime by short terms of imprisonment, [illegible] intended [illegible] nalty on [illegible]

Adults Whipping of—
G. O. No 667A, dated 11th September 1867.

MALE juvenile offenders should be sentenced to be whipped in [illegible] pt, when for special reasons, [illegible] the peculiar nature of the [illegible]. In the case of such offend- [illegible] osition of a short imprisonment, which, while of little utility as a punishment, exposes them to the risk of contamination from the company of older and more hardened criminals. The discretionary power of substituting a whipping should therefore be freely exercised.

Boys to be whipped *rather than imprisoned* for short terms.
Circular No. 44A, dated 9th August 1865.
Circular No 38A, dated 31st July 1867, and Circular No. 630, dated 15th June 1878 (Oudh).

In sentencing a male juvenile to punishment other than whipping, the Magistrate should invariably record his reasons for not

Circular No. 46A, dated 21st December 1870.

between such hours as may from time to time be fixed. Such interviews to be in the presence of an officer of the workhouse, and not to exceed half an hour at one time. Vagrants may write letters to their relatives or persons likely to employ them.

Vagrants shall be made to attend divine service regularly, and shall be visited by the chaplains of their respective persuasions.

Vagrants in the workhouse shall behave in a respectful manner to all officials; shall not make use of bad language; shall avoid quarrelling with the [illegible] idle or negligent at work; shall not [illegible] disorderly conduct [illegible] and they shall obey [illegible] workhouse.

Vagrants who are guilty of violence, or who are abusive or refractory, may be put into handcuffs by order of the governor, and may be placed in solitary confinement until they can be brought before a Magistrate, which shall not be later than twenty-four hours after the act of violence, &c., for which the vagrant has been confined.

A copy of the rules and of sections 11, 15 and 20 of Act IX of 1874 shall be kept in the wards in which vagrants are confined.

Civil Hospital, Allahabad.

G. O. No. $\frac{338}{VI-979}$, dated 25th February 1887.

THE Lieutenant-Govenor and Chief Commissioner is pleased to declare, under section 11 of Act IX of 1874 (the European Vagrancy Act), that the Civil Hospital at Allahabad is, for the purposes of the Act, fit for a workhouse.

(*See also "Vagrants."*)

No. VII

Judicial (Civil) Department.

No. VII.—JUDICIAL (CIVIL) DEPARTMENT.

APPEALS.

Privy Council appeals. Procedure in cases of— Home Department No. 1276, dated 9th September 1889.

WHEN an appeal, to
to the Privy Council, the
conduct of the case must
cerned. The information and papers required by Home Department letter No. $\frac{1}{126}$, dated 30th January 1878, should be forwarded to the India Office through the Government of India only in cases to which the Government or the Court of Wards is a party. The instructions contained in the following extract of a despatch from the Secretary of State* should be strictly observed in cases to which Government or the Court of Wards is a party:—

*Paragraph 4 of Despatch No 21 (Judicial), dated 4th July 1889.

"4. I avail myself of this opportunity to request that, as regards *all* appeals to Her Majesty in Council in which Government is
. listinct expres-
the papers, as
it not unfre-
the Maharája
unaccompanied
I should take;
an indication
for my assistance in arriving at a decision in the matter."

BIRTHS, DEATHS AND MARRIAGE REGISTRATION.

Establishment of general registry office for registration, and appointment of Registrar-General.

G. O. No. $\frac{658}{VII-138}$, dated 22nd August 1888, and G. O. No. $\frac{659}{VII-138B}$, dated 22nd August 1888.

UNDER section 6, clause (1) (a), of Act VI of 1886 (the Births, Deaths and Marriages Registration Act) the Lieutenant-Governor and Chief Commissioner has been pleased to declare the office of the Inspector-General of Registration, North-Western Provinces and Oudh, to be the general registry office for keeping certified copies as specified in the clause hereinbefore cited.

Under section 6, clause (1) (b), of Act VI of 1886 (the Births, Deaths and Marriages Registration Act), the Lieutenant-Governor and Chief Commissioner has been pleased to appoint the Inspector-General of Registration, North-Western Provinces and Oudh, to be the Registrar-General of Births, Deaths and Marriages, and to be in charge of the general registry office created by the above Notification of this date.

Registrars of Births and Deaths.

G. O. No. $\frac{660}{VII-138B}$, dated 22nd August 1888, and G. O. No. $\frac{851}{VII-138B}$, dated 16th November 1888.

UNDER section 12, Act VI of 1886 (the Births, Deaths and Marriages Registration Act), the Lieutenant-Governor and Chief Commissioner has been pleased to appoint as Registrars of Births and Deaths in the North-Western Provinces and Oudh—

1. All District Magistrates for the areas of their districts.

2. All Ministers of religion licensed under Act XV of 1872 for the areas of the districts in which they reside.

3. All Registrars of the Registration Department for the areas of their jurisdictions.

It will be optional with the person wishing to register the occurrence to which of the above authorities he will resort.

Notification No. $\frac{530}{VII-138B}$, dated 29th July 1889.

Provided that in the case of Ministers of religion the class of persons for whom they shall be empowered to act as Registrars of births and deaths shall be those at whose baptisms or funerals they have themselves officiated.

G. O. No. $\frac{880}{VII-138B}$, dated 23rd November 1888.

In continuation of Notification No. $\frac{851}{VII-138B}$, dated 16th November 1888, and under section 12 of Act VI of 1886 (the Births, Deaths and Marriages Registration Act), the Lieutenant-Governor and Chief Commissioner is pleased to appoint as Registrars of Births and Deaths within the areas of the districts in which they reside all Ministers of religion authorized by sub-sections (1) and (2) of sections 5 of the Indian Christian Marriage Act XV of 1872, to solemnize marriages.

Notification No. $\frac{530}{VII-138B}$, dated 29th July 1889.

Provided that in the case of Ministers of religion, the class of persons for whom they shall be empowered to act as Registrars of Births and Deaths shall be those at whose baptisms or funerals they have themselves officiated.

CODE OF CIVIL PROCEDURE.

Imprisonment of debtors. Notification No. 605A, dated 1st October 1877.

WHENEVER a judgment-debtor is arrested in execution of a decree for money, and brought before any court in the North-Western Provinces and Oudh under section 336 of the Code of Civil Procedure, the court shall inform him that he may apply under chapter XX to be declared an insolvent, and that he will be [illegible] bad faith regarding [illegible] all his property in [illegible]

Notification No. 604A, dated 1st October 1877.

The following is the scale of allowances payable for the subsistence of judgment-debtors committed to jail in execution of decrees in the North-Western Provinces and Oudh :—

Europeans, 1st grade

Covenanted and Commissioned Officers of Government; uncovenanted officials, whether Europeans or Eurasians, holding gazetted appointments; and non-official Europeans and Eurasians of the upper class.	One rupee per diem

Europeans, 2nd grade.

All Europeans and Eurasians other than those enumerated as belonging to the 1st grade ...	Eight annas per diem.

Natives, 1st grade.

Nati[illegible] G[illegible] g[illegible] p[illegible]	Eight annas per diem.

Natives, 2nd grade.

All natives other than those enumerated as belonging to the 1st grade	Two annas per diem

Provided in the case of natives of the 2nd grade that the court committing the judgment-debtor to jail may, when the price of flour exceeds fourteen seers the rupee, direct that the allowance be proportionately increased.

Execution of decrees. Rules regarding the sale of land in— Circular No. 57, dated 10th September 1880 (N.-W. P.)

[illegible] briefly [illegible] red sale [illegible] in the [illegible] ation of [illegible] l placed [illegible] property [illegible] manner. [illegible] ter the [illegible] ney due

COMMISSION FEES.

Right of judicial officers to require –
Government of India Resolution (Home Department) No. 10 1101, dated, 21st July 1875.

JUDICIAL officers of one province are not permitted to accept remuneration for executing commissions issued by courts of other provinces, it being held that the receipt of such fees by officers who are paid by Government for all they do in their official capacity is improper.

CONTRACTS.

Contracts Procedure to be followed in all cases in which deeds of security for the due performance of—have to be taken by officers of the Government.

G. O. No $\frac{119}{VII-7-3}$, dated 3rd February 1885.

[illegible] High Court in the case of [illegible]

In completing contracts of the sort the course suggested in the appended extract from the High Court's Judgment should be followed :—

[illegible] at least the expediency, [illegible] synchronous with the [illegible], where delay in the com- [illegible] unavoidable, of its being recited, in the instrument evidencing the contract, what the consideration for the guarantee was, that is, what the creditor did, or what promise he made, for the benefit of the principal debtor, whereby there was consideration for the giving of the guarantee."

Contracts, deeds, &c. Execution of- on behalf of the Secretary of State.

North-Western Provinces and Oudh letter No. $\frac{620}{VII-190}$, dated 10th June 1895.

The following extract from a Resolution by the Government [illegible] tment is republished for the infor- [illegible] serving under the Government of [illegible] nd Oudh :—

Extract from the Proceedings of the Government of India in the Home Department (Judicial), No. $\frac{3 \text{ Judl.}}{483-501}$, under date Calcutta, the 28th March 1895.

Read again the following correspondence relative to the execution of deeds, contracts, &c., on behalf of the Secretary of State :—

* * * * * *

RESOLUTION.

In exercise of the power conferred by the thirty-third and thirty-fourth of Victoria, Chapter fifty-nine, section two, and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to declare that the under-mentioned classes of the deeds, contracts, and other instruments referred to in the twenty-second and twenty-third of Victoria, Chapter forty-one, section two, may be executed as follows :—

* * * * * *

E.—In the case of the Public Works Department (subject to any limits fixed in departmental orders)—

I.—All instruments relating to purchase, supply and conveyance or carriage of materials, stores, machinery, &c.	By Chief Engineers, Superintending Engineers, Superintendents of Works, Executive Engineers in the Buildings and Roads and Irrigation Branches, Managers, Engineers-in-Chief, Superintendents of Works, and Executive Engineers in the Railway Branch.
II.—All instruments relating to the execution of works of all kinds connected with railways, open or under construction, buildings, bridges, roads, canals, tanks, reservoirs, docks and harbours and embankments, and also instruments relating to the construction of water works, sewage works, the erection of machinery, and the working of coal mines.	By Chief Engineers, Superintending Engineers, Superintendents of Works, Executive Engineers in the Buildings and Roads and Irrigation Branches, Managers, Engineers-in-Chief, Superintendents of Works and Executive Engineers in the Railway Branch.
III.—Security bonds for the due performance and completion of works.	By Chief Engineers, Superintending Engineers, Superintendents of Works, Executive Engineers in the Buildings and Roads and Irrigation Branches, Managers, Engineers-in-Chief, Superintendents of Works, and Executive Engineers in the Railway Branch.
IV.—Security bonds for the due performance of their duties by Government servants whom the officers specified have power to appoint.	By Chief Engineers, Superintending Engineers, Superintendents of Works, Executive Engineers in the Buildings and Roads and Irrigation Branches, Managers, Engineers-in-Chief, Superintendents of Works, and Executive Engineers in the Railway Branch.

V.—Leases for grazing cattle on canal banks or roadsides; for fishing in a canal, for the cultivation of land under the Irrigation Department; leases of water for irrigation and other purposes, and leases of water power, and instruments relating to the sale of grass, trees, or other produce on roadsides or in plantations.	By Chief Engineers, Superintending Engineers, Superintendents of Works, Divisional Officers in the Buildings and Roads and Irrigation Branches, and in Bengal by Sub-Divisional Officers of the Irrigation Branch.
VI.—Leases of houses, land, or other immovable property, provided that the rent reserved shall not exceed Rs. 5,000 a month.	By Chief Engineers, Superintending Engineers, Superintendents of Works, Executive Engineers in the Buildings and Roads and Irrigation Branches, Managers, Engineers-in-Chief, Superintendents of Works and Executive Engineers in the Railway Branch.
VII.—All instruments connected with the reconveyance of property given as security.	By Chief Engineers, Superintending Engineers, Superintendents of Works, Executive Engineers in the Buildings and Roads and Irrigation Branches, Managers, Engineers-in-Chief, Superintendents of Works, and Executive Engineers in the Railway Branch
VIII.—Instruments connected with the collection or farming of tolls at bridges or ferries or other means of communication provided by the Railway or by the Local Government.	By Chief Engineers, Superintending Engineers, Superintendents of Works, Executive Engineers in the Buildings and Roads and Irrigation Branches, Managers, Engineers-in-Chief, Superintendents of Works, and Executive Engineers in the Railway Branch.
IX.—Contracts connected with the loading and unloading of goods and for other matters necessary for, or incidental to, traffic working.	By Managers of State Railways.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

II.—Contracts and other instruments for sums not exceeding Rs 2,000 except those which affect real estate.	By all Heads of Departments.
III.—Contracts and other instruments at present executed by Collectors, Deputy Commissioners, and Deputy Collectors.	By Collectors and Deputy Commissioners.
IV.—Contracts and other instruments for a sum not exceeding Rs. 500, and not affecting real estate.	By subordinate officers appointed by heads of departments with the approval of the Local Government.

* * * * * *

Copies of the sections of the Statutes referred to in paragraph 1 of the above Resolution.

Acts 33 and 34, Victoria, Chapter 59, section 2.

Power to authorities in India to vary forms execution

It shall be lawful for the Governor-General, by Resolution in Council, from time to time to vary the form of execution prescribed by the said first-recited Act for the deeds, contracts, and other instruments to which it relates, and to empower such authorities as to him may seem expedient to vary it within the respective limits of their local jurisdiction; and deeds, contracts and other [illegible]

Acts 22 and 23, Victoria, Chapter 41, section 2.

Power to execute contracts vested in Government of India.

I.—The Governor-General of India in Council, the Governor in Council of Fort St. George, the Governor in Council of Bombay, the Lieutenant-Governor of the North-Western Provinces, now under the Presidency of Fort William in Bengal, respectively, or any officer for the time being entrusted with the government, charge, or care of any Presidency, Province or district in India, subject to such provisions or restrictions as the Secretary of State in Council, with the concurrence of a majority of votes at a meeting, shall from time to time prescribe, are hereby respectively empowered to sell and dispose of all real and personal estate whatsoever in India for the time being vested in Her Majesty under the said Act, within the limits of their respective Governments, Provinces, or districts, or to raise money on any such real estate by way of mortgage, and to make proper assurances for that purpose and to purchase and acquire any land or hereditaments, or any interest therein, stores, goods, chattels, and other property in India within the said respective limits, and to enter into any contracts whatsoever within the said respective limits for the purpose of the said Act, and all property so acquired shall vest in Her Majesty for the service of the Government of India.

Mode of executing contracts in India.

Secretary of State in Council not to be personally liable.

II.—The Secretary of State in Council may be named as a party to any such deed, contract, or other instrument, and it shall be sufficient to use the designation of Secretary of State in Council in such deed, contract, or other instrument, and the same may be expressed to be executed on behalf of the Secretary of State in Council, by or by order of the Governor-General in Council, Governor in Council, Lieutenant-Governor of the North-Western Provinces, or other officer entrusted as aforesaid, but may be executed in other respects in like manner as other instruments executed by or on behalf of him or them respectively, in his or their official capacity, and may be enforced by or against the Secretary of State [illegible] neither the Secretary of State [illegible] nor any person executing such deed, contract, or other instrument, shall be personally liable in respect thereof, and all liabilities, costs, and damages in respect thereof shall be satisfied and paid out of the revenues of India.

DOMICILE.

DECLARATIONS under section 11, Act X of 1865, for the North-Western Provinces, shall be deposited in the Government Secretariat at Allahabad.

Domicile. Declarations of—
No. 152A., dated 24th June 1875 (N.-W. P. only).

Declarations under section 11, Act X of 1865, for Oudh, are to be deposited in the office of the Judicial Commissioner,

Domicile.
Oudh Digest, para. 251 (Oudh only).

EXAMINATION.

Training of Junior Civilians for the departmental examination. Circular No 64, dated 24th December 1867.

Young Assistants after arrival in India should each be provided with a printed copy of the "rules for the examination of Junior Officers," and until they are able to undertake the trial of cases themselves, they should be required to sit in Court with the Magistrate or an experienced Joint Magistrate, so as to observe the procedure; they should take notes of cases, and after a time should be employed in preparing cases for the Magistrate and Collector. They should also be occasionally employed in aiding the officer in charge of the Treasury, so as to become conversant with that part of their duty.

It is not advisable, however, that at first, and while studying for examination, they should be burdened with much case-work; but they should be put in the way of obtaining an insight into the various duties, judicial, revenue, financial and administrative, which they will be called upon to undertake.

Examination of Junior Officers. Rules for the—
Notification No. 997/VII—28B, dated 16th December, 1893.
Notification No. 479/VII—28B, dated 17th May, 1894.
Notification No 601/VII—28B, dated 22nd May, 1894.
Notification No. 831/VII—28B, dated 19th June 1894.
Notification No. 959/VII—28B, dated 27th September, 1894.
Notification No. 218/VII—28B, dated 20th February 1895.
Notification No. 215/VII—28B, dated 7th March 1895.
Notification No. 239/VII—28B, dated 31st January 1896.
Notification No. 172/VII—28B, dated 15th February 1896.

1. An examination for all officers mentioned in rule 9 below will be held at least once a year, usually in October, on such dates as may be fixed by Government, and notified in the *Government Gazette.* An additional examination for Covenanted Civil Servants, Forest Officers,* Police Officers, Cantonment Magistrates and Candidates for Cantonment Magistracies only will be held usually in April.

Deputy Collectors who have still to pass in Treasury Procedure and Accounts, and Candidates for Treasury Deputy Collectorships specially admitted under rule 33 are required to attend the April examination in that subject only.

2. The examinations will, unless otherwise notified, be held at the following local centres:—

(1) Lucknow, for Covenanted Civil Servants, Forest Officers, Irrigation Officers, Police Officers, Cantonment Magistrates, Candidates for Cantonment Magistracies, Officiating Munsifs, Deputy Collectors and probationary Deputy Collectors.

(2) Agra, for Tahsildárs and Candidates for Tahsildarship.

3. The subjects of examination and the standards of qualification are as follows:—

*Note.—The words "Forest Officers" wherever they appear in these rules include "Extra Assistant Conservators" and "Forest Rangers".

Serial number.	Subject.	Full marks obtainable.	Standards of Qualification. Higher standard.	Lower standard.	Pass.
1	*Judicial*				
	(a) Paper in Law and Procedure ...	100	66	50	...
	*(b) Case to be set by Local Committee.	20	..	...	10
2	*Judicial*—Preliminary test for candidates for Cantonment Magistracies—Paper in Law and Procedure .	100	...	..	50
3	*Revenue*—				
	†(a) Paper in Law and Procedure ...	80 }	66	50	...
	(b) Paper in Stamps and Excise ...	20 }			
	(c) Case to be set by Local Committee.	20	.	...	10
4	*Police*— Paper in Law and Procedure .	100	66	50	...
5	*Police*—Preliminary test for candidates for Cantonment Magistracies—Paper in Law and Procedure ...	100	...	...	50
6	*Vernacular*—				
	(a) Translation	20 } 100	...	..	10
	(b) Dictation . ..	20	.	.	10
	(c) Reading Urdu	20	...	...	10
	(d) Reading Hindi ...	20		...	10
	(e) Conversation . .	20	...	...	10
7	*Vernacular for Forest Officers* —				
	(a) Conversation . ..	60	45	30	...
	(b) Reading Urdu	20	15	10	..
	(c) Reading Hindi	20	15	10	...
	(d) Translation	25	15	..	...
	(e) Dictation	25	15	..	...
	[See rule 8 (4) below, and Manual of Government Orders, Department XIV (Forest) *Rules for Examination of Forest Officers*.]				
8	*Treasury and Local Fund Accounts,*	100	66	50	...
9	*Civil Law*— Paper in Law and Procedure ...	100	66	50	...
10	*Cantonment Law*—				
	(a) Paper in Law and Procedure...	100	66	...	.
	(b) Case to be set by the Local Committee.	20	...	..	10
11	*Cantonment Law*—Preliminary test—Paper in Law and Procedure ...	100	...	...	50
12	*Canal Law*—				
	(a) Paper in Law and Procedure...	100	66	...	...
	(b) Case to be set by the Local Committee	20	...	...	10
13	*Forest Law*—				
	Paper in Law and Procedure ...	80 } 100	66	...	...
	Oral Examination	20 }			
14	*Land Revenue Systems*—				
	Paper in Law and Procedure ...	80 } 100	66	...	...
	Oral Examination	20 }			
15	*Procedure and Accounts*—				
	Paper	80 } 100	66	...	...
	Oral Examination	20 }			

*Police Officers will not be examined in a case.
†See also the special rules for tahsildárs in rule 17 below.

4. The examinations will be conducted by a Central Committee and by Local Committees. The Central Committee will arrange for the preparation and distribution to the Local Committees of the papers of questions in the following subjects: Judicial, Revenue, Police, Translation and Dictation (for other than Forest Officers), Treasury and Local Fund Accounts, Civil Law, Cantonment Law, Canal Law, Forest Law, Land Revenue Systems and Procedure and Accounts. The Local Committees, besides superintending the candidates during the examination, will conduct the *viva voce* examination. They will select the Urdu and Hindi papers to be read by all candidates undergoing the test in vernacular, as well as all the "cases." They will also set the papers in Translation and Dictation for Forest Officers. Each Committee will allot marks for the subjects under its control.

5. The Central Committee appointed yearly by Government will consist ordinarily of the following officers:—

(1) A Member of the Board of Revenue (*President*).

(2) The Judicial Commissioner, Oudh.

(3) The Commissioner of Excise and Stamps.

(4) The Inspector-General of Police.

(5) The Chief Engineer of the Irrigation Department.

(6) The Director of the Forest School.

(7) The Secretary to the Board of Revenue.

(8) The Small Cause Court Judge of Allahabad.

(9) The Accountant-General, North-Western Provinces and Oudh.

(10) The Director of Public Instruction, North-Western Provinces and Oudh.

(11) An Under Secretary to Government (*Member and Secretary*).

6. The Local Committees will consist (unless otherwise ordered) of the following officers:—

(1) The Commissioner (*President*).

(2) The Judge.

(3) Two Magistrates of Districts in his Division, to be nominated by the Commissioner.

(4) An Educational Officer, to be nominated by the Director of Public Instruction.

(5) A Police Officer (where Police Officers are to be examined), to be nominated by the Inspector-General of Police.

(6) A Forest Officer (where Forest Officers are to be examined), to be nominated by the Director of the Forest School in consultation with the Conservators of the Oudh and Central Circles.

7. A schedule of the scope of examination, from which the papers in the Judicial, Revenue, Police, Translation, Dictation, Treasury and Local Fund Accounts, Civil Law, Cantonment Law, Canal Law, Forest Law, Land Revenue Systems and Procedure and Accounts may be set, is appended hereto. This schedule may be added to or otherwise amended from time to time by the Central Committee with the sanction of Government The mention of any Act includes all rules issued under it and having the force of law. When any Act is repealed in part or in whole or amended by a later Act, the reference must be understood to be either to the unrepealed portion of the original Act or to the later Act or to both as the case may be, *i.e.*, the mention of an Act means the Act as modified up to date.

(I).— JUDICIAL.

A.—For all except Police Officers and Candidates for Cantonment Magistracies (subject to the proviso in foot note below).*

(*a*) Criminal Procedure Code (Act X of 1882).

(*b*) Cattle Trespass Act (I of 1871).

(*c*) General Clauses Act (I of 1868 and I of 1887).

(*d*) Indian Evidence Act (I of 1872).

(*e*) Indian Penal Code (Act XLV of 1860).

(*f*) Northern India Ferries Act (XVII of 1878).

(*g*) Oaths Act (X of 1873).

(*h*) Whipping Act (VI of 1864).

(*i*) Gambling Act ((III of 1867).

(*j*) Town Police Act (XX of 1856).

B.—For Police Officers.

(*a*) Criminal Procedure Code (Act X of 1882), chapters IV, V, VI, VII, IX, XIII, XIV, and sections 495-497, 523,550, and schedule II, in respect of arrests without warrant and bailable and non-bailable offences.

(*b*) Indian Evidence Act (I of 1872), sections 3, 5 to 33, 45 to 48, 53, 54 and 118 to 134.

(*c*) Indian Penal Code (Act XLV of 1860), excepting chapters I, III, VI, VII, IX, XI, XVIII, XIX, XX, and XXI.

C.—For Candidates for Cantonment Magistracies (the use of books allowed).

(*a*) Indian Penal Code (Act XLV of 1860).

(*b*) Criminal Procedure Code (Act X of 1882).

[illegible]
from [illegible]
Cand [illegible]
exam [illegible]
they [illegible]
service.

(d) Oudh Civil Courts Act (XIII of 1879).

(7.)—CANTONMENT LAW.

(a) Cantonment Act (XIII of 1889).

(b) Laws and Rules relating to Excise Administration in North-Western Provinces and Oudh.

(c) Provincial Small Cause Courts Act (IX of 1887).

(d) Registration Act (III of 1877).

(e) Civil Procedure Code (Act XIV of 1882), the chapters and sections mentioned in the first schedule to Act X of 1888.

8.—CANTONMENT LAW.

Preliminary test (the use of books allowed except for Cantonment Act and Rules).

(a) Cantonment Act (XIII of 1889).

(b) Provincial Small Cause Courts Act (IX of 1887).

(c) Civil Procedure Code (Act XIV of 1882), the chapters and sections mentioned in the first schedule to Act X of 1888.

9.—CANAL LAW.

(a) Cattle Trespass Act (I of 1871).

(b) Criminal Procedure Code (Act X of 1882), the [illegible] chapters and sections :—

Chapter I, the whole.

Chapter II, sections 6 to 8, 10 to 12, 14 and 17.

Chapter III, sections 29, 32, 33, 35 to 37 and 40.

Chapter IV, sections 42 and 43.

Chapter V, sections 46, 50, 61 and 63 to 65.

Chapter VI, the whole.

Chapter VII, sections 94, 104 and 105.

Chapter XIII, section 152.

Chapter XV, sections 177 to 180, 182, 191 and 195.

Chapter XVI.
Chapter XVII.
Chapter XIX.
Chapter XX. } the whole.

Chapter XXIV, sections 340 to 344, 345 and 347 to [illegible]

Chapter XXV, the whole.

Chapter XXVI, the whole, except sections [illegible], 270 and [illegible]

Chapter XXVIII, sections 384 to 389 (inclusive), 399 and 400.

Chapter XXX, the whole.

Chapter XXXI, sections 407, 418 to 423, 426 and 430.

Chapter XXXII, section 435.

Chapter XXXIII, sections 443, 445 and 453.

Chapter XXXV, sections 476, 481, 482, 484, 485 and 487.

Chapter XXXVIII, section 495.

Chapter XXXIX, the whole.

Chapter XLI, sections 511 and 512

Chapter XLIII, sections 517 and 518.

Chapter XLIV, section 528.

Chapter XLV, sections 529 to 531 and 535.

Chapter XLVI, sections 540, 543 to 545, 547 and 548.

(c) Departmental Circulars—Legal procedure, revenue and water-supply.

(d) Indian Penal Code (Act XLV of 1860).

Chapter II, sections 6, 21, 37, 38, 51 and 52.

Chapter III, sections 53, 60 and 64 to 70 (inclusive).

Chapter IV, sections 76 to 85 (inclusive).

Chapter V, sections 107 to 109 (inclusive).

Chapter X, sections 172 to 175, 178 to 181 and 186 to 188.

Chapter XI, sections 191 to 193 (inclusive), 224 and 228.

(e) Land Acquisition Act (X of 1870), Parts I to VI (inclusive).

(f) Northern India Canal and Drainage Act (VIII of 1873).

(10).—FOREST LAW.

(a) Baden-Powell's Forest Law.

(b) Indian Forest Act (VII of 1878).

(11).—LAND REVENUE SYSTEMS.

Baden-Powell's short account of the Land Revenue and its Administration in British India (in one Volume).

(12).—PROCEDURE AND ACCOUNTS.

(The use of books allowed.)

(a) The Forest Code.

(b) The Civil Service Regulations.

(c) Manual of Government Orders (Department XIV).

9. *The following table indicates the officers who are required to be examined and the subjects in which they are required to pass* :—

H.S. signifies Higher Standard.
L.S. „ Lower „
P. „ Pass.

1	2	3	4	5	6					7	8	9	10	11	12	13	14	15
	Officers.	Judicial.	Revenue.	Pol ce.	Vernacular (subject to the *exception noted* in column 15).					Treasury and Local Fund Accounts.	Civil Law.	Cantonment Law.	Canal Law.	Forest Law.	Land Revenue Systems.	Procedure and Accounts.	Surveying.	Remarks.
					Translation.	Dictation.	Reading Urdu.	Reading Hindi.	Conversation.									
1 2 3	Assistant Magistrates and Collectors. Assistant Commissioners .. Deputy Collectors‡ (including Probationary Deputy Collectors) other than those specially exempted by Government in consideration of meritorious service after not less than 10 years' continuous service as tahsildars.	H.S.	H.S.	L.S	P.	P.	P.	P.	P.	† H.S.	...	...	...	...	...	...	Assistant Collectors and Assistant Commissioners are required also to pass in surveying, *vide* rule 16 below.	† No Assistant Collector or Assistant Commissioner, and no Deputy Collector acquainted with English, will be held to have passed the examination in Treasury and Local Fund Accounts by either standard until the Collector of the district to which he is attached shall have furnished a certificate that he has duly attended to and satisfactorily discharged the duties of Treasury Officer for a period of not less than six weeks within one year of the date of the examination. If a candidate has passed by the Lower Standard only, a second certificate will be

No.																	Remarks
4	Assistant Commissioners and Deputy Collectors in Kumaun Division (unless they have fully passed the Departmental Examination when employed elsewhere in the North-Western Provinces and Oudh), in addition to the above subjects,	...	...	..	...	..	...	...	.	...	H.S.	...	.	..	..	...	required before he can be considered to have passed by the Higher Standard, unless at the time of the examination at which he presents himself for the Higher Standard less than a year has elapsed since the candidate was last in charge of a treasury.
5	Police Officers	L.S.	.	H S	P.	P.	P.	..	P.	...	...	..	...	...	...	..	
6	Cantonment Magistrates ..	H S.	...	L. S	...	...	...	..	...	..	...	H.S	...	...	.	...	
7	Candidates for Cantonment Magistracies.	P.	...	P.	P.*	P.*	P.*	..	P.*	...	...	P.	...	...	...	...	* Before appointment to a Cantonment Magistracy a candidate is required to pass in all the sub-heads of vernacular, except Hindi, provided he has not already passed the Higher Standard in Hindustani by the Military test.
8	Irrigation Officers ..	...	...	..	P.	P.	P	P	P.	..	..	...	H S	..	..	...	
					(or the Departmental Standard Examination under para 21, *section* 1, *Chapter* II, P. W. D. Code).												
9	Forest Officers	.	...	...	H S	H S	H S	H S.	H S.	...	...	..	...	H.S	H.S.	H S	
10	Tahsildárs‡	L. S.	L. S	L. S.	P.	P.	P.	P.	P	..	...	...	...	...	...	...	‡ *N.B.*—Native candidates whose language is the vernacular of the North-Western Provinces and Oudh, need not be examined in the vernacular except in Hindi; but those whose language is not the vernacular of these provinces must be examined in all sub-heads of the vernacular.
		[See also the special rules for Tahsildárs in rule 17 below]															
11	Tahsildárs in Kumaun Division (not exempted as under 4 above) in addition to the above subjects.	...	...	...	..	...	..	...	..	...	L. S.	...	...	...	...	...	
12	Munsifs in Oudh‡ ..	...	...	...	P.	P.	P.	P.	P.	..	L. S.	...	...	...	..	...	
	Ditto (*before being appointed Sub-Judges*)	...	...	...	...	...	...	...	..	...	H.S.	...	...	...	...	...	

10. All officers specified in rule 9 (except Oudh Munsifs and Irrigation Officers), who have held their appointments whether substantive or officiating for six months continuously, must present themselves at every examination held while they continue in such appointments until they have passed by the standard applicable to them, and they will not be eligible for promotion or confirmation till they have so passed. Deputy Collectors appointed for settlement work and Deputy Collectors and Tahsíldárs whose services are lent for special duty within or without the provinces are not compelled to pass the examination for Deputy Collectors or Tahsíldárs in the regular line; but unless specially exempted from examination they will not, until they pass, be regarded as having any claim to be graded on the permanent list and to receive promotion in it. Police Officers who have failed to pass within two years of their appointment, and other Uncovenanted Officers who have failed in three successive October examinations, will be reported for the special orders of Government and will be liable to lose their appointments. Irrigation Officers will not be eligible for magisterial powers until they have passed the examination in Canal Law.

Candidates for Cantonment Magistracies shall ordinarily be required to pass the preliminary test *before* appointment. Any officer appointed to be Cantonment Magistrate who has not passed the preliminary test will be liable to revert to military duty if he fail to pass the preliminary test at the first opportunity and the H. S. examination within 18 months after joining his appointment.

Any person appointed to the post of Munsif in Oudh must with- [illegible] sif, 3rd grade, pass the [illegible] at the examination next [illegible] months from the date [illegible] will be liable to immedi- [illegible] Munsif will be eligible for [illegible] have passed the higher [illegible] ldárs and Deputy Collectors who have not passed in Civil Law and who may be appointed Munsifs in Oudh will thereafter be required to pass in Civil Law and in Vernacular. The examination of Munsifs in Oudh will be confined to these two branches.

11. An officer on leave in India (except leave on medical certificate) must a[illegible] examination, unless he has been exempted by Govern[illegible] tion of that year. Absence from [illegible] will not be accepted, except on [illegible] submitted to and accepted by the Head of Department before the examination takes place.

12. An officer absenting himself from the examination without complying with the above conditions will be considered to have failed at the examination for that year.

13. A candidate may pass in any of the following subjects separately :—

*(1) Judicial.	(6) Civil Law.
(2) Revenue.	*(7) Cantonment Law.
*(3) Police.	(8) Canal Law.
(4) Vernacular.	(9) Forest Law.
(5) Treasury and Local Fund Accounts.	(10) Land Revenue Systems.
	(11) Procedure and Accounts.

14. The examination in each of these subjects can only be passed in its entirety. A candidate failing for example in the Judicial case must ordinarily be held to have failed in Judicial altogether. Similarly, a candidate failing in [illegible] sub-heads of the vernacular. A [illegible] oral examination in Forest Law, [illegible] dure and Accounts fails altogether in the subject. When, however, a candidate has failed only in the case, and when his papers are [illegible]

15. A candidate who has passed by the Lower Standard in Judicial or Revenue is not required to pass again in case when he presents himself for the Higher Sandard in these subjects.

16. In the case of Assistant Collectors and Assistant Commissioners an adequate acquaintance with practical surveying (with plane table) and with the general classification of soils has been declared, [illegible]

[illegible] the survey.

[illegible]

the party.

2. An Assistant Collector attending the class is under the orders of the officer in charge of the Survey party.

3. The following detailed programme should be followed during the period of study :—

(1) Use of theodolite with the use of the prismatic compass and circular protractor as alternative instruments.

(2) Construction and use of scales.

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* Candidates for Cantonment Magistracies must pass in all three subjects, failure in one shall involve failure in all.

(3) Traverse of a polygon with theodolite and chain of about 200 acres.

(4) Working out of all items of traverse table.

(5) Plotting from above.

(6) Traverse and plot of a polygon with plane table and chain without theodolite plot.

(7) Detail survey of polygon of 200 acres.

(8) Extracting of field and other areas of the same with acre comb and by mensuration.

(9) Running check lines on survey villages or board plans direct, and also in field books and plotting the same.

(10) Writing up the khewat and khanapuri of about 150 fields.

Training of Junior Civilians in surveying.

G. O. No. $\frac{1343}{I-949A}$, dated 3rd June, 1892.

G. O. No. $\frac{1915}{I-930A}$, dated 27th July 1892.

G. O. No. $\frac{2414}{I-330A}$, dated 20th September 1892.

1. The training mentioned in rule 16 of the above rules will begin on 1st November and end on 24th December in each year.

2. An Assistant Collector attending the survey class at Roorkee is under the orders of the Principal of the College and of the Assistant Principal in charge of the survey class.

3. He should study such portions of the Thomason College Manual of surveying or other works as may be indicated by the Principal or Assistant Principal.

4. He will first receive such theoretical instruction as may be necessary in chain surveying, surveying with the prismatic compass and with the plane table, and in the use of the optical square and the theodolite.

5. He will then be sent under the guidance of a selected official with the qualifications of a kanúngo to undertake the field survey of a mauza or section of a mauza. Two chainmen will be allowed to each student.

6. Each Assistant Collector will be required to make the boundary survey of a village or block within a village, and then to fill in the detailed survey of the fields within the whole or a portion of the village or block.

7. He should make himself thoroughly conversant with the manner in which the khasra is prepared from the map, with the classification of the land as cultivated, culturable or uncultivated, [illegible]. He should also learn [illegible] being surveyed [illegible] and the jama-bandi. On all these points the kanúngo will afford the necessary instruction.

8. He will also be instructed how to take out areas both by computation and by the use of the area square. And he should work out the areas of all fields in the mauza surveyed.

9. Instruction will also be given in the best methods of checking the accuracy of existing maps both as regards their external boundaries and their interior survey, and the kanúngo will explain by reference to the patwáris' papers of each mauza the points to which special attention should be given at the annual inspection of patwáris' work.

9. When the work done by the Assistant Collector has been tested and found correct he should, after such examination as the Principal may consider necessary, be granted a certificate that he has a practical knowledge of revenue surveying, and of its application to the system of land records

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17. The following special rules regulate the examination of Tahsildárs and candidates for Tahsildarship :—

(a) In selecting the Judicial and Revenue cases to be read to Tahsildárs, Local Committees will be careful not to choose any which average Tahsildárs cannot fairly be expected to comprehend.

(b) In addition to the case the Revenue examination of Tahsildárs will consist of—

	Full marks obtainable.
1. *Viva voce* questions on subjects connected with Tahsildár's work generally. This *viva voce* examination will be made by the Local Committees	20
2. Special questions for Tahsildárs in the Revenue paper set by the Central Committee . . .	25
3. Such other questions in the Revenue paper set by the Central Committee as are marked for Tahsildárs ...	40
4. Stamps and Excise paper	15
Total .	100

(c) Out of this total of 100 marks it is necessary to gain 50 to qualify.

18. The examination will usually extend over six days, as follows :—

Day.	Morning, 10 A.M.—1 P.M.	Afternoon, 2—5 P.M.
1st day .	Judicial paper	Criminal case.
2nd day ...	Revenue paper	Revenue case.
	Cantonment Law paper ...	Cantonment case.
	Canal law paper ...	Canal case
3rd day ...	Police paper	Stamps and Excise paper. Special *viva voce* examination of Tahsildárs.
4th day ...	Translation paper ...	Treasury and Local Fund Accounts paper.
	Dictation paper	Reading Urdu.
		Reading Hindi.
		Conversation.
5th day ...	Forest Law paper ...	Land Revenue System paper.
	Civil Law paper... ...	
6th day ...	Procedure and Accounts .	.

19. The time to be allowed for cases, dictation, reading and conversation will be at the discretion of the local Committee.

20. Local Committees should furnish to the Secretary to the Central Examination Committee, Allahabad, at least a month before the date of the examination, (*a*) lists of candidates, and (*b*) indents for papers in the forms given below.

21. In order that these lists may be correctly and properly prepared, Commissioners of Divisions other than those in which the examinations are held should communicate the necessary information to the Presidents of the local Committees as early as possible after the issue of the notification publishing the date of the examination.

List of Candidates at the Departmental Examination of Junior officers in the———Division to be held———.

1	2	3	4	5	6	7
Serial No.	Name.	Designation.	Location.	Subjects in which the candidate has already passed, with dates of passing.	Subjects in which the candidate has still to be examined	Remarks.

Approximate number of copies of examination papers required by the Local Committee at for the examination to be held on and following days.

Subject.	English.	Vernacular.	Remarks.
1. Judicial (general)	...	...	
2. Judicial for convenanted civilians and candidates who have passed the pleadership examination.	...	Nil.	
3. Judicial for Police Officers ...	...	Nil.	
4. Judicial—Candidates for Cantonment Magistracies.	...	Nil.	
5. North-Western Provinces Revenue (including Tahsildárs).	...	...	
6. Oudh Revenue (including Tahsildárs).	...	...	
7. Excise and Stamps	...	...	

Approximate number of copies of examination papers required by the local Committee at for the examination to be held on and following day—(concluded).

Subject.	English.	Vernacular.	Remarks.
8. Police	...	...	
9. Police for Police Officers ...	...	*Nil*	
10. Police—Candidates for Cantonment Magistracies	...	*Nil.*	
11. Treasury and Local Fund Accounts.	...	*Nil.*	
12. Canal Law	...	...	
13. Cantonment Law	...	*Nil.*	
14. Cantonment Law—Candidates for Cantonment Magistracies.	...	*Nil.*	
15. Forest Law	...	*Nil.*	
16. Land Revenue Systems	...	*Nil.*	
17. Procedure and Accounts ..	...	*Nil.*	
18. Civil Law	...	...	
19. Civil Law (Munsifs in Oudh) ...		...	
20. Dictation	...	*Nil.*	
21. Dictation for Police Officers ...	...	*Nil.*	
22. Translation	...	*Nil.*	
23. Translation for Police Officers ...	...	*Nil.*	

22. The papers of questions will be numbered in consecutive order. In despatching the papers to the Presidents of the local Committees, the Secretary to the Central Examination Committee will enclose the papers of each subject in a separate envelope, and note with his own hand on the back of each envelope (*a*) the subject, (*b*) the number of papers sent, (*c*) the serial numbers of the papers sent. The envelope will be securely sealed and forwarded under [illegible] being sent of the papers des- [illegible] niently be in the form of the [illegible]

The Presidents of local Committees will open each packet in the examination room on the day fixed for the particular subject, and after comparing the papers with the invoice will distribute them to the candidates.

23. Stitched blank books, interleaved with blotting paper, will be provided by the local Committee for the candidates to write their answers in, and no loose sheets of paper or blotting paper of any description should be permitted in the examination room on any pretext whatever. The books should be initialled at the corner of each page by a member of the local Committee; each page being also at the same time consecutively numbered.

For each separate paper of questions separate books should be used.

24. Candidates are required to write their answers legibly on one side only of each sheet of paper (the other side being used for

such rough notes as they may wish to make), and on no account whatever to tear the paper or blotting paper. Each book of answers should be signed by the candidate with his full signature, official designation, and location.

25. The book or books of answers, when given up, should be endorsed by a member of the Committee with a serial number, the nature of the subject, the name of the candidate, his official designation, and his district and the date. It is necessary to have these particulars on each book in English. If two candidates of the same name come from one district, the names of their fathers should be given to prevent all chance of mistake. Care should also be taken that the spelling of all names should be identical with that employed in the divisional list, and the order in which the names were placed in that list should be followed as far as possible.

26. When all the answers to each paper have been given in, they should be at once enclosed in a strong envelope or other cover, in which should be included an invoice of the papers sent in the appended form, printed copies of which will be supplied by the Secretary to the Central Committee.

Examination of Junior Officers held at ———— on the ———— and following days.

INVOICE OF PAPERS

Subject ————

Serial number of candidate to correspond with number on books of answers.	Name of candidate.	Official designation.	District	Number of pages in book or books.	Number of pages written on	Remarks by the local Committee.	Remarks by the Central Committee.

(Signed.)
President, local Examination Committee.

27. The envelope or cover should be securely sealed and sent by registered post, *the same afternoon*, to the address of the Secretary, Central Committee. It will greatly assist to prevent mistakes in the despatch of the papers to the examiners if each parcel contains the papers on one subject only, and if the name of the subject is entered on the outside of the cover. For this purpose the following classification of subjects should be adhered to:—

1. Judicial, including Judicial for Covenanted Civilians, candidates who have passed the pleadership examination, Police Officers, and candidates for Cantonment Magistracies (English and Vernacular).

2. North-Western Provinces Revenue, including Tahsíldárs (English and Vernacular).
3. Oudh Revenue, including Tahsíldárs (English and Vernacular).
4. Excise and Stamps (English and Vernacular).
5. Police, including Police for Police Officers and candidates for Cantonment Magistracies (English and Vernacular).
6. Treasury and Local Fund Accounts (English only).
7. Canal Law (English and Vernacular).
8. Forest Law (English only).
9. Land Revenue Systems (English only).
10. Procedure and Accounts (English only).
11. [illegible] (English only).
12. [illegible]
13. [illegible] Vernacular).
14. [illegible] or Police Officers, Translation, and Translation for Police Officers

28. The report on the subjects in which the local Committee is the examining body should state clearly the number of marks gained by each candidate in the following printed form, copies of which will be supplied.—

Statement of marks awarded by the local Examination Committee at the Departmental Examination held——————on—————189 .

Name of candidate.	Official designation and district.	Marks awarded in—														
		Criminal case.	Special viva voce examination for Tahsíldárs.	Revenue case	...rent case.	...se.	...ation.	Urdu.	Hindi.	...on (for ... Officers)	...n (for Forest Officers)	...ation (for ... Officers).	...aw.	...venue sys...	...re and ...nts.	...s.
	Maximum,	20	20	20	20	20	20	20	20	25	25	60	20	20	20	
	Standard for passing.	10	Any marks given are added to those awarded for the paper.	10	10	10	10	10	10	15	15	{ 45 / 30	10	10	10	

29. The certificates of knowledge of Treasury work and survey... should not be overlooked in cases in which they are required. [illegible] ...arly as possi-[illegible]

30. Any candidate who may be detected, either at the time of examination or subsequently, in unfair practices will be considered to have failed entirely at the examination. His case will be considered by the President of the Central Examination Committee and will, if necessary, be reported to Government.

31. No candidate will be permitted to leave the room until he has given up his paper, unless accompanied by a member of the local Committee, who will certify that during his absence the candidate had no opportunity of obtaining any unfair information as to the paper. On no account can a candidate be permitted to alter or add to his anwers when he has once given them over to the local Committee.

32. In marking cases, the marks for each case will be allotted by two members of the local Committee; in the event of a difference of opinion, or of the failure of the candidate, the case will be referred to the whole local Committee, and the opinion of the majority will prevail. The original record, as well as the candidate's decision in every instance in which the candidate *fails* in his case, should be retained by the Local Committee until the result of the examination is made known.

33. No candidates who are not actually officiating as Deputy Collectors, except those referred to in paragraph 5 of Government Resolution No. $\frac{1889}{II-638B}$, dated 12th July 1893, will, without the special sanction of Government, be allowed to appear at the examination for Deputy Collectors. The Government will, on the recommendation of the Board, admit to this examination in the subject of treasury and accounts only any head clerks or other similar ministerial officers whom the Board consider fitted for treasury work. Success in such examination confers no claim to be nominated hereafter for a Deputy Collectorship or to be admitted to the other subjects of the examination. Officiating Tahsíldárs and selected nominees for Tahsildarships referred to in paragraph 9 of Board's Circular No. *16—IX* will alone be permitted to attend the examination for Tahsíldárs. No voluntary candidates will be admitted to either examination, and no applications should be forwarded to the Central Committee on behalf of such candidates for special leave to appear. Forest Rangers acquainted with English will be permitted to appear at the examination for Forest Officers, provided that they previously obtain the Consent of the conservator.

34. The Central Committee will forward their report to Government, showing what candidates are considered to have passed in the various branches.

Investiture of powers on passing

Home Department No. 379 of 25th January 1871, and No. 2770, reaffirmed by No. 1214, dated 6th September 1881.

OFFICERS passing the lower or higher standard of examination shall, as a rule, be at once invested respectively with the powers of a Magistrate of the second or the first class; and they shall accordingly be entitled to the higher rates of pay from the date of their passing the examination. But if in the case of any officer subordinate to him, the Magistrate of a district shows to the satisfaction of the Local Government that investiture with higher

powers ought to be deferred, then the mere passing of the examination will not establish a title to higher pay, nor shall such higher pay be granted until the investiture with higher powers takes place. Powers of a Magistrate of the second class are not to be conferred upon an officer until he has exercised the powers of a Magistrate of the third class for six months, and full Magisterial powers are not to be conferred upon an officer until he has exercised the powers of a Magistrate of the 2nd class for the same period. No officer shall be entitled to a higher rate of pay by reason of exercising higher powers, unless he has passed in all the subjects of examination by the lower or higher standard, as the case may be.

PUBLIC OFFICERS.

Civil Courts. Transfer of ministerial officers of—
G O. No 523, dated 27th June 1882 [Judicial (Civil)].

WHEN the transfer of a ministerial servant of a civil court from one district to another is desired the Judge should, after ascertaining the wishes of the Judge of the court to which it is proposed to make the transfer, address the Government with the view of obtaining sanction to the transfer.

POWERS.

THE Hon'ble the Lieutenant-Governor and Chief Commissioner has been pleased to appoint the Legal Remembrancer, North-Western Provinces and Oudh, to exercise, within the limits of the North-Western Provinces and Oudh, the powers conferred on the Advocate-General by section 539 of the Code of Civil Procedure.

Legal Remembrancer to Government. Powers of an advocate-general to—under section 539, Civil Procedure Code. Notification No $\frac{1307}{VII-35-71}$, dated 9th December 1884.

UNDER section 417 of Act XIV of 1882, the Hon'ble the Lieutenant-Governor and Chief Commissioner has been pleased to authorise the Legal Remembrancer *ex-officio* to act for Government in respect of all judicial civil proceedings.

Legal Remembrancer to Government. Powers of—to represent Government in civil suits. Notification No. $\frac{346}{VII-280}$, dated 2nd April 1886.

UNDER section 26 (1) of the Succession Certificate Act (VII of 1889), the Lieutenant-Gover[illegible] pleased to invest all Munsifs i[illegible] the functions of a District C[illegible] local and pecuniary limits of [illegible]

Powers. Grant of—to Munsifs, North-Western Provinces, under Act VII of 1889, Succession Certificate Act. Notification No $\frac{359}{VII-10}$, dated 7th May 1890.

IN exercise of the powers conferred by section 6 (*e*) of the Scheduled Districts Act of 1874, the Lieutenant-Governor and Chief Commissioner is pleased to declare that the jurisdiction and powers hitherto exercised by Extra Assistant Commissioners in the districts of Kumaun and Garhwál under the rules prescribed by Notification No. 45A., dated the 22nd May 1879, shall in future be exercised by Deputy Collectors in the North-Western Provinces and Oudh who are or who may be appointed to the districts of Kumaun and Garhwál.

Powers Exercise of—by Deputy Collectors in Kumaun and Garhwal. Notification No. $\frac{390}{VII-381}$, dated 7th April 1887.

EVERY Cantonment Magistrate should clearly understand that until he has been specifically appointed Judge of the Court of Small Causes established within the Cantonment of which for the time being he may be Magistrate, it is illegal for him to exercise the powers of a civil court.

Small cause court jurisdiction of Cantonment Magistrates. G. O. No. $\frac{777-779}{VII-553a}$, dated 19th September 1893.

In future, Cantonment Magistrates will on first appointment, as a rule, be gazetted to small cause court powers in suits of a value not exceeding Rs 50; on their passing the departmental examination po[illegible] will be granted on [illegible]

(*a*) In the ca[illegible] missioner.

(*b*) In the case of the Ráuikhet and Chakráta cantonments, the Commissioner.

(*c*) In the case of other cantonments, the District Judge.

The form prescribed at page 203, Part VI, for applications for magisterial powers should be used in every case.

PROCESSES.

Processes to be accompanied by a translation.
Government of India, Home Department, No 1281, dated 6th August 1888.

ALL processes sent for service for administrative officers or courts to any district the vernacular of which differs from that in which the process is written should invariably be accompanied by a translation in English.

SCHEDULED DISTRICTS.

Poundage fees in Kumaun—
G O No. 233/VII-217, dated 6th April 1886.

In exercise of the powers conferred on him by section 6 (b) of the Scheduled Districts Act, XIV of 1874, the Lieutenant-Governor and Chief Commissioner is pleased to direct that when any sale in execution of a decree of a Civil Court in the Kumaun and Garhwál districts is conducted by the District Officer, a fee shall be payable by way of poundage or the full amount of the purchase money at the following rates :—

	Rs.	a.	p.
On every Rs. 25 or portion of Rs. 25 when the purchase money does not exceed Rs. 50	0	4	0
On every Rs 50 or portion of Rs. 50 when the purchase money exceeds Rs. 50 but does not exceed Rs 100	0	8	0
On every Rs 100 or portion of Rs. 100 when the purchase money does not exceed Rs 200	1	0	0
On every Rs 100 of the purchase money in excess of Rs 200 when the purchase money does not exceed Rs 1,000	0	8	0
On every Rs. 500 of the purchase money in excess of Rs 1,000 ...	1	0	0

2. The fee so payable shall be deducted from the sum deposited by the puchaser under section 237 of the rules regulating the Procedure of the Civil Courts in the Kumaun and Garhwál districts, and shall be credited to the Government.

Note —For other rules under the Scheduled Districts Act, see N.-W. P. Code.

UNCLAIMED PROPERTY.

Unclaimed Property. Interference of police with—

G. O. No. 234/VII—398, dated 11th March 1887.

CASES have recently come under observation in which the language of section 25, Act V of 1861, has been misunderstood.

The police are by law required to take charge and furnish an inventory of *unclaimed* property. But these provisions do not sanction interference where property is under lock and key, or other signs exist from which it may be inferred that such property is still the subject of possession by the original owner.

The police should be careful to abstain from interference in cases of this kind and also in cases when property, though previously unclaimed, has passed into the hands of an innocent finder.

Intestate property.

G. O. No. 1053/VII—553B., dated 25th October 1894.

REGULATION V of 1799, section 7, empowers District Judges to deal with the personal property of persons dying intestate. The High Court has issued rules for the guidance of District Judges in the North-Western Provinces in this matter (Civil Court Circular Orders, 1894, rules 362—375). The following rules have been made by the Government for the guidance of Magistrates and the police in the North-Western Provinces in reporting cases of intestate property to District Judges. As Regulation V of 1799 is not in force in Oudh, the personal property of persons dying intestate is dealt with in Oudh under the ordinary rules regarding the disposal of unclaimed property (see Manual of Government Orders, Department VI) :—

1. Ordinarily the movable property of a person dying intestate, to which there is no claimant, is taken possession of by, or delivered into the custody of, the police.

2. In taking possession of such property, arranging for its temporary custody when it consists of livestock or bulky articles, making and transmitting an inventory of it, and forwarding it to the Court Inspector, the Police Officer in charge of the station shall observe the rules in section X-27 of Police Regulations and Orders regarding unclaimed (*la-dáwa*) property.

3. In receiving and taking charge of such property, granting a receipt for the same, entering a description of it in his register of intestate (*la-wáris*) property and reporting to the Magistrate, the Court Inspector similarly shall observe the abovementioned rules.

4. The Magistrate on receipt of information under rule 3 shall cause a report to be made to the District Judge.

5. The Court Inspector shall then forward a copy of the list of his own report, and of the Magistrate's order, to the District Judge for orders.

6. When the property consists of cash the District Judge will order it to be credited as a Civil Court deposit.

7. When the property is subject to speedy and natural decay, or when the expense of keeping it in custody or of conveying it to the District Court will exceed its value, or when its estimated value does not exceed Rs. 5, the District Judge will direct that it be sold under the orders of the Magistrate at the nearest bazár town to the place where the property is. The Magistrate shall then cause the property to be sold by his názir or by a kurk amín. No commission on the sale proceeds shall be allowed. The Magistrate shall immediately intimate to the District Judge the amount of the sale proceeds, and the District Judge will order the proceeds to be credited to Civil Court deposits.

8. In other cases the District Judge will order the property to be sent to the central názir. The Court Inspector thereupon shall, along with the property, send to the central názir his málkhána register, or, if the Judge's Court be in another district, an extract from it.

9. The central názir, after comparing the entries in the Court Inspector's málkhána register or in the extract therefrom with the articles, and with the copy of the list received from the police station, will enter the property in his register, and will give a receipt for the same (countersigned by the munsarim) in the Court Inspector's register or in the extract, noting in the receipt the date on which he received the property and the serial number of the corresponding entry in his own register.

10. The Magistrate will receive from the District Judge a copy of the report made by the munsarim to the District Judge regarding the receipt of the property, and of the Judge's order thereon. The Magistrate's record-keeper shall refuse to receive the record if such copy be wanting.

11. All expenses incurred in maintaining intestate property and in conveying it to the District Judge's Court are recoverable from that Court.

No. VIII.—POLICE DEPARTMENT.

[Note.—*Rules regarding the duties and economy of the police force are usually issued by the Inspector-General of Police with the sanc-* [illegible] *In* [illegible] *the* [illegible] *tely concern magisterial authorities in their relation to the police.*]

ADMINISTRATION.

Subordinate Magistracy—Relation of—to the police.

All reports or remarks of Subordinate Magistrates commenting on the conduct of the police or suggesting departmental punishment shall be submitted, in the first instance, to the Magistrate of the district, who shall pass thereon such orders as he deems proper. It must be remembered that the Magistrate of the district alone is invested with the control and direction of the police.

Magistrate. Duties of—in regard to original criminal work and supervision of police administration

G. O No. $\frac{610}{\text{VIII-934-15}}$, dated 23rd August 1890.

The following general instructions are issued with a view to regulate the practice of District Magistrates personally taking a share in the disposal of the original criminal work, and in the supervision of the police administration of their districts. Except possibly in exceptional charges, such as those of Allahabad, Cawnpore, Agra, Lucknow, Benares and Meerut, the District Magistrate [illegible]

sion, all important cases, such as dakáiti, murder or culpable homicide. In no other way can the police be made to feel that they are working under the direct control of the District Magistrate; nor can the latter acquaint himself, except by personally taking up cases, with the defects and weaknesses of his police force.

[illegible]

they are very important. He should also take the opportunity of inspecting as many police stations as he can during his cold weather tour. This is essential for the exercise of a proper supervision over

the police of his district, and for the acquisition of a knowledge of their efficiency or the reverse, as regards the work of investigation and detection, especially of serious crime.

It is also essential to the exercise of due supervision that the records of all cases in which judicial comment has been made on the conduct of the police, whether favourable or unfavourable, should be promptly brought to the no[illegible]
Court Inspector will be held [illegible]
this duty, and before steps are [illegible]
police concerned, the District S[illegible]
riably be consulted. Both the [illegible]
the Court Inspector must be in [illegible]
trict Magistrate, and are expec[illegible]
affecting the working of the police in the district, which may, in their opinion, require his attention or orders.

Tahsildars. Functions of—as regards the police.
Resolution No. 365, dated 2nd March 1883.

Tahsíldárs exercise, with respect to the police within their jurisdiction, the same functions that are now exercised by Assistant and Joint Magistrates.

They will, *as at present, visit the police stations* in their jurisdictions, examine the various registers and diaries, and bring to the notice of the Magistrate of the district any points which appear to deserve attention.

ARREST OF PERSONS AT ADEN.

Arrest of accused persons at Aden.
Circular No. 40, dated 22nd November 1883.

THE Government of Bombay has lately laid down the following rules to be observed when application is made for the arrest at Aden of persons on their way to Europe:—

[illegible]
bay [illegible]
tical [illegible]
provided that the application for arrest is made in the name of the Government of the *Presidency or Province within whose jurisdiction* the offence has been committed. If the application is made by an officer subordinate to another Government, the Bombay Government will consult their legal advisers as to the propriety of complying with the application.

District officers should, therefore, be guided by the following principles in cases of this nature:—

(1) If application is made for the arrest of a person supposed to have left Bombay by sea, no steps to effect an arrest should be taken unless it is clear that the case is *boná fide* a criminal one, and not a matter for which a civil action might be brought, and to which a criminal colouring has been given by the complainants for motives of their own.

(2) If it is desired to arrest a person at Aden, application should, as a rule, be made to this Government, which will communicate with the Government of Bombay.

(3) If for any reason it is not possible to apply to this Government, application should be made to the Commissioner of Police at Bombay, with explanation of the reasons necessitating a direct application.

CRIMINAL TRIBES.

Criminal Tribes Act. Rules under—
Notification No. 489, dated 19th March 1874.
Notification No. 1335, dated 4th October 1884.

The following rules are prescribed for the Sanaurias in the Lalitpur district, the Aherias and Haburas in the Etah district, and the Barwars of Gonda :—

RULES UNDER SECTION 18 OF THE CRIMINAL TRIBES ACT, 1871.

I.—The form in which the register of criminal tribes shall be made and prepared.

Form of register of criminal tribes, gangs, and classes.

1. The register of criminal tribes, gangs and classes shall be prepared in the form given below; it shall be written in the English language, and shall be in the handwriting of the Magistrate of the district or in that of the persons appointed under section 8 of the Criminal Tribes Act, 1871, to prepare it.

Register of members of the ____________ tribe proclaimed under the Criminal Tribes Act, XXVII of 1871.

1		2	3	4	5				6	7	8	9	10			11	12
Place at which registered person is to reside					Descriptive-roll of registered person.								Conviction of registered person of non-bailable offences (before and after registration).				Removed under section 16.
						Height.											
Police station.	Village.	Serial number of family.	Name of the head of the family.	Names of members of family, with their relation to the head thereof.	Age on date of registration.	Feet.	Inches.	Particular marks and peculiarities of features, &c.	Grounds on which registered person's name was recorded.	Date of registration.	Orders passed by the Magistrate of the district under sections 11 and 12.	Orders passed by the Commissioner under section 12.	Offences.	Places and dates.	Sentences.	Remarks.	Place to which transferred and date.

II.—Publication of notice.

Issue of notice.

2. The Magistrate of the district shall, on receiving a direction from the Local Government to prepare a register of the members of any criminal tribe, gang or class, cause a notice to be prepared, calling on the members of such tribe, gang or class

to appear at a time and place therein specified, and before such person or persons as may be named in such notice, and to give those persons such information as may be necessary to enable them to make the register.

Publication of notice in town or village.

3. Such notice shall be affixed to a conspicuous part of the village or town, reception-house, or other *principal building*; and if such tribe, gang or class resides in more villages or towns than one, a copy of such notice shall similarly be affixed in every such village and town.

Service of notice on headman and proclamation.

4. A copy of such notice shall be served on the headman or headmen of every such village or town, and it shall thereupon be the duty of such headman or headmen to cause the contents of [illegible] mouth by [illegible] It shall also [illegible] member of the tribe who may be a resident of such village, but absent when this notice is issued, of the purport of it as soon as such member shall return to the village.

Proclamation in towns.

5. When the town in question contains no village police, such notice shall be served on the principal police officer of such town, who shall cause it to be proclaimed in like manner by any of the police subordinate to him.

III.—The mode in which the notice of an alteration in the register is to be given.

Notice of intended alteration.

6. When an application has been received by a Magistrate of the district showing cause why an alteration should be made in the register of criminal tribes, gangs and classes, he shall issue his summons to—

(a) the person to be affected by such proposed alteration;
(b) the headmen or headman of such person's village; and
(c) the District Superintendent of Police,

setting out the alteration proposed to be made and the time and place at which the persons summoned may appear to state their reasons for or against such alteration.

Explanation.—Where the alteration is an erasure consequent on a death, it will be sufficient for the Magistrate to make the erasure on receiving the evidence which satisfies him that the person concerned is dead.

IV.—The limits within which persons whose names are on the register shall reside.

Registered persons not ordinarily to quit boundaries of town or village.

7. No registered person shall leave the boundaries of the town or village of which he is a resident without having obtained a pass in the manner hereinafter provided:

Proviso.—Nothing contained in this rule shall be deemed to render it illegal for a registered person to quit the boundaries of his town or village for the purpose of appearing at the nearest police station, or before the nearest Magistrate, to complain of an [illegible] -elf or against any of the members [illegible] roperty belonging to himself, or to [illegible] rules, or to make any report which he is bound by law to make: provided that such person shall give notice of his intended departure to the headman or headmen of his village, and shall proceed direct to the office of the Magistrate or police station as aforesaid.

Explanation.—The expression "town or village of which he is resident" means the town or village in which a registered person is ordered to reside and which is entered as his residence in this register.

V and VI.—Conditions as to holding passes and conditions to be inserted in such passes.

Particulars to be entered in passes.

8. Every pass granted to a registered person permitting him to be absent beyond the boundaries of his village or town shall be in the following form:—

FORM OF PASS.

Pass granted to——

Name of person taking leave.	Residence and name of head of family to which he belongs.	Period of leave granted, with specification of dates.	Where proceeding to and for what purpose.	List of police stations at which he is required to report and their zilas.	Dates on or about which he is to present himself at said stations.

Descriptive roll of holder of pass.

Name.	Name of family, &c.	Age.	Height.	Distinguishing marks.

Memoranda recorded by officers before whom absentee presented himself.

Name of station at which report was made.	Date of report	Reports explanatory of arrival either before or after time, how or with whom travelling, &c	Signature of police officer to whom report is made.

*9. The officer in charge of the police station within whose jurisdiction a registered person resides, or the special officer in charge of villages proclaimed under the Act, when of rank not lower than a sub-inspector, may, on due cause being shown, grant such person leave of absence for any reasonable period, not exceeding fourteen days. The officer in charge of the police station or the special officer shall, on granting such leave, at once report the fact to the District Superintendent of Police, and also submit a monthly abstract of all passes granted by him.

Powers of officer in charge of police station to grant leave.

10. If a registered person requires longer leave than fourteen days, the District Superintendent of Police or the Magistrate of the district may grant such leave of absence as may appear to him reasonable and sufficient.

Powers of District Superintendent and Magistrate of district to grant leave.

11. The officer granting leave of absence shall cause a pass to be drawn up in duplicate and shall sign and seal such duplicate copies. One copy shall be given to the registered person concerned, and the other copy shall be sent to the officer in charge of the police station at the destination of the registered person, through the officer in charge of those police stations at which such person is to report himself.

Passes to be in duplicate.

12. All passes shall be written in English and in the vernacular of the district, or, if granted by the native police officer, in the vernacular of the district only.

Language of pass.

* As amended by Notification No. $\frac{1496}{VI-202-4}$, dated 15th August 1885.

VII.—Roll-calls.

13. The Magistrate of the district, or, if authorized by the Magistrate of the district in that behalf, the District Superintendent, may order a roll-call of registered persons residing in any village or town.

Who may order roll-calls.

Such roll-call shall ordinarily be taken either with or without previous intimation being given to the registered persons concerned.

Roll-call with or without warning.

On being informed by the village watchmen, or otherwise, that the roll of registered persons is being called at a particular place, it shall be the duty of all such persons so informed to proceed to that place and answer to their names, and to remain in attendance until the officer calling the roll dispenses with their further attendance: provided that the place at which such persons are required to attend is in reasonable proximity to their residences.

Duty of registered persons.

14. It shall be the duty of every registered person residing in a village or town to report himself or herself every evening to the headman or police officer, as the case may be, appointed in that behalf by the Magistrate of the district: provided that the place at which such person is required to report himself or herself is in reasonable proximity to his or her residence.

Duty of registered persons to report themselves.

Exception (1).—This rule is subject to the proviso to rule 7.

Exception (2).—This rule does not apply to persons who have received passes, so long as such passes are in force.

Exception (3).—This rule does not compel a report in person by persons incapacitated by illness or infirmity from so attending.

VIII.—Inspection of residences and removal of contrivances to facilitate concealment of stolen property or absence without leave.

[illegible] the District Superin[illegible] [illegible]ny time enter and [illegible] registered person, and any house, [illegible], tent or enclosure which is within any village of any proclaimed tribe, gang or class.

M[illegible] and inspect.

Any Magistrate may exercise like authority on being empowered, either specially or generally, by the Magistrate of the district.

Any Magistrate may be empowered to enter.

16. The Magistrate of the district or the District Superintendent of Police may empower any of his subordinates not below the

rank of a sergeant of police, by a written order, to enter and inspect from time to time as he deems fit, or on particular occasions, any house, building, tent or enclosure situated within any village of any proclaimed tribe, gang or class in which a registered person may be, or may reasonably be supposed to be, and to report the result of such inspection.

17. After making, or causing an inspection to be made, the Magistrate of the district may direct the removal from any house owned or occupied by registered persons, or from the village of any such person, any wall, hedge, palisade, step, stockade, tree, ditch, opening or moat which is a contrivance for enabling the residents to conceal stolen property or to leave their place of residence without leave.

IX.—The terms on which registered persons may be discharged from the operation of Act XXVII of 1871.

Conditions under which names may be erased.

18. The Magistrate of the district shall not erase, or order the erasure of, the name of a registered person unless and until—

(*a*) such person proves that he does not belong to the criminal tribe, gang or class to which he was alleged to belong, and that he does not belong to any other registered tribe, gang or class ; or

(*b*) such person proves that he has been, during the space of one year immediately preceding his application, and is, earning an honest livelihood.

Erasure of name when person does not belong to a criminal tribe, &c.

19. If the Magistrate of the district receiving the application is satisfied that such registered person does not belong to the criminal tribe, gang or class to which he was alleged to belong, and that he is [illegible] shall record [illegible] person to be erased ; or

Procedure when plea is one of honest living.

If the Magistrate of the district receiving the application is satisfied that such registered person has been and is earning an honest livelihood, he shall record the grounds of his opinion and pass an order exempting such person from the rules hereinbefore contained under Parts IV, V, VI and VII, or may continue him under the surveillance of the police for a further period of six months.

20. [illegible] ther of the [illegible] application [illegible]

21. On the completion of such period of surveillance the District Superintendent of Police shall submit a report on the conduct of such registered person to the Magistrate of the district, who may, after recording the grounds of his order—

Report on the conduct of person under surveillance.

(a) discharge such person from the operation of the Act;

(b) order that the surveillance be continued for a further period of six months; or

(c) order that such person shall be subject to the Act and to all the rules.

22. A person whose name has been removed from the register by order of the Magistrate of the district shall not be liable to be subsequently registered without the consent of such Magistrate or of his successor in office.

Privilege of person whose name has been erased.

23. When a registered person has been removed under the Act and applies under section 16 for the erasure of his name, it shall be the duty of the Magistrate to whom the application is made to ascertain whether any similar application was made by such person in the district or place from which he was removed; and if an application was so made, the proceedings taken thereunder shall be considered in deciding the application made in the district to which such person was removed.

Procedure in cases of application in two places.

Procedure on conviction of members of—. Circular No. 67, dated 5th November 1880.

When any person who is believed to belong to any of the tribes mentioned in the schedule below is convicted by any Criminal Court, the convicting officer should record a special proceeding, recording all that can be discovered about the prisoner, his domicile and his antecedents. This proceeding should be sent to the Superintendent of the jail where the prisoner is to be confined, and in case of his transfer to another prison, should be forwarded by the Superintendent of the prison from which he is transferred to the Superintendent of the prison to which he is being removed.

In the case of a conviction by the Court of Sessions, it will be the duty of the committing Magistrate to draw up and forward this proceeding to the Superintendent of the jail.

When any prisoner is transferred from another province to any jail in these provinces for release, the Superintendent of the jail will inform the Magistrate of the district, who, in communication with the District Superintendent of Police, will take such action as he may consider necessary.

Statement showing the criminal tribes and classes in the North-Western Provinces and Oudh, the members of which it would be advisable to transfer to their homes for release after imprisonment, with a view to their being kept under police surveillance.

A.

TRIBES PECULIAR TO THE NORTH-WESTERN PROVINCES AND OUDH.

Serial number.	Name of tribe.	District occupied by them
1	Aberyas ..	Aligarh Etah. Mainpuri.
2	Bahelyas ...	Etáwah. Agra. Cawnpore. Allahabad
3	Bilochis ...	Muzaffarnagar
4	Badaks ...	All over the N.-W. P.
5	Domras ...	Gorakhpur.
6	Ghosis ...	All over the N.-W. P.
7	Gújars ...	Meerut. Muzaffarnagar. Bareilly.
8	Haburas ...	Etah, and in small numbers all over the N.-W. P.
9	Avadhyas ...	Oudh. Allahabad. Fatehpur. Jaunpur. Hamírpur.
10	Pardesis .	Gorakhpur.
11	Sanaurias ...	Lalitpur. Hamírpur.
12	Barwárs ...	Gonda.

B.

TRIBES FOUND IN THESE PROVINCES AS WELL AS IN THE PANJÁB AND BENGAL.

Serial number.	Name of tribe.	Districts occupied by them.
1	Berayas ...	All over the provinces.
2	Bauryas ...	Meerut. Saháranpur. Muzaffarnagar.
3	Dusádhs ..	Gházipur. Ballia.
4	Kanjars ...	Generally throughout the provinces, but chiefly in the Agra and Muttra districts.
5	Sánsiyas ...	Aligarh.

Statement showing criminal tribes and classes in the Panjáb, the members of which it would be desirable should be kept under police surveillance after their release from jail.

1	2	3
Serial number	Name of tribe.	Districts or localities they occupy.
1	Bangáli	Kangra. Hoshiarpur.
2	Bháts	Julundur. Gujránwála. Sialkot.
3	Bhédkots	Lahore.
4	Biluch	Amballa. Karnál. Montgomery. Muzaffargarh. Jhang
5	Bauria (declared criminal under Act XXVII of 1871).	Sirsa. Amballa. Firozepur. Ludhiána. Gurgaon. Lahore Jullundur.
6	Brinjára	Gurgaon.
7	Gandila	Amballa. Karnál.
8	Gurmáng (declared criminal under Act XXVII of 1871).	Ráwal Pindi.
9	Harni (declared criminal under Act. XXVII of 1871).	Amballa. Ludhiana. Firozepur. Jullundur. Amritsar. Hoshiarpur. Sialkot Gurdáspur.
10	Kanjar (or Delhiwal Baurias as sometimes called).	Delhi. Gurgaon.
11	Mína (declared criminal under Act. XXVII of 1871)	Gurgaon.
12	Pakhiwar (declared criminal under Act. XXVII of 1871).	Sialkot.
13	Sánsis (declared criminal under Act. XXVII of 1871).	Sirsa. Amballa. Firozepur. Ludhiana. Karnál Gurdáspur. Jullundur. Hoshiarpur. Montgomery. Gujrát. Shahpur. Gujránwála Sialkot. Lahore. Hissar. Kangra.
14	Tágir ...	Karnál.

List of criminal tribes in Bengal.

1	2	3
Serial number.	Name of tribe.	Districts or localities they occupy.
1	Bedyas ...	Nuddea and Jessore
2	Binda ...	Shahabad and Maldah.
3	Kayastha ..	Faridpur and Jessore.
4	Rajwars .	Gya.

Statement showing criminal tribes and classes in the Berars, the members of which it would be desirable should be kept under police surveillance after their release from jail.

1	2	3
Serial number.	Name of tribe.	Districts occupied by them.
1	Wagri ...	Throughout Berar, but chiefly Akola, Amraoti, and northern part of Buldana district.
2	Bourie ...	Districts of Amraoti, Akola, and Ellichpur.
3	Ruckwaldar Manga ..	Throughout Berar.
4	Dookur Kolati ...	Berar.
5	Mang Garodi ...	Throughout Berar.
6	Brinjara ...	Berar.
7	Gopaul ...	Do.
8	Bhil ...	Districts of Buldana and Melghat, and a few families scattered all over Berar
9	Pathurkar ...	Akola, Amraoti, and northern portion of Buldana district.

Sansiahs Rules as to—placed with Zemindars. Government of India, Home Department, No. 93, dated 16th January 1891.
G. O. No. 161/VIII—647, dated 6th February 1891.

Rules made by the Lieutenant-Governor and Chief Commissioner, with the previous consent of the Governor-General in Council, under section 18 *of the Criminal Tribes Act* (*XXVII of* 1871), *in regard to Sansiahs of the proclaimed gangs who have been placed with zamindárs.*

1. The register made by the District Magistrate under section 7 of the Act for districts in which Sansiahs of the proclaimed

be given to the registered Sansiah applying for the same, and the second copy shall be retained by the officer issuing it; or, if the registered Sansiah is permitted to proceed to another district, the second copy shall be sent to the Magistrate of the district to which the Sansiah is about to proceed.

6. All passes shall be written in the vernacular. The landlord of each village in which registered Sansiahs are settled will be furnished by the District Magistrate with a sufficient supply of blank forms.

7. If any registered Sansiah refuses to work on the agricultural holding or at the other occupation provided for him, the District Magistrate may pass suitable orders under section 10 of the Act, or may apply to the Local Government for an order of removal to the Settlement at Sultánpur.

8. If it is proved to the satisfaction of the District Magistrate that a person whose name has been registered does not belong to the tribe or gang of Sansiahs of which he was considered a member, the Magistrate may order that he be discharged from the operation of the Act: and if it is so poved that a person whose name has been registered is, and has, for the space of one year immediately preceding the application, been earning an honest livelihood, the Magistrate may pass an order either discharging him from the operation of the Act or directing that he continue to remain under surveillance for a further period. Before passing an order under this rule, the Magistrate shall place on record his reasons in writing.

9. If in the case of an application for discharge under Rule 8 neither of the points specified in that rule can be proved, the Magistrate may reject the application.

10. When the period of surveillance ordered under Rule 8 has been completed, the District Superintendent of Police shall submit a report on the conduct of the registered person to the District Magistrate. The Magistrate may, after recording the grounds for his order—

(a) discharge such person from the operation of the Act;

(b) order that the surveillance be continued for a further period; or

(c) refuse to discharge such person from the operation of the Act.

11. A person who has been discharged from the operation of the Act by order of the Magistrate shall not be liable to be subsequently registered without the consent of such Magistrate or of his successor in office.

DIETING AND CONVEYANCE OF WOUNDED AND ACCUSED PERSONS.

THE following are the rules in force in regard to the provision of funds for the dieting of prisoners and accused persons whilst in transit under charge of the police, and also to meet the cost of transporting corpses and wounded men :—

G. O. No $\frac{304}{\text{VIII—206 II}}$, dated 9th October 1885.

1. The Magistrate will furnish to every police officer in charge of a divisional station Rs. 5, and to every officer in charge of a sub-division Rs. 3, as a permanent advance.

2. The officer in charge of the station, when forwarding prisoners or accused persons to the sadr station, will advance to the officer in charge of the party a sum sufficient to cover the expense of dieting the prisoners on the road, and will give a memorandum in the accompanying form, showing the number of persons to be dieted. The form will be issued in books of 200 forms each with counterfoil. There will be a serial number on each form and its counterfoil, and the office seal must be stamped on each form and its counterfoil before the book is issued from the office of the District Superintendent of Police. The form and its counterfoil will contain the same information, and both will bear the signature of the officer in charge of the station.

3. In the same manner, in despatching a corpse or wounded person, the officer in charge of the station will advance to the accompanying officer a sum sufficient to pay the bearers or coolies from station to station, with a memorandum in the same form, showing the number of bearers or coolies employed.

4. On arrival at the sadr station the officer in charge will take the form to the Court Inspector (or in Oudh to the Headquarters Inspector) who, after checking it with the papers in the case, will enter on the back the date of arrival at the sadr, the amount to be refunded to the police officer in charge, and the name of that officer, and sign it. The cheque will then be laid before the Magistrate for signature, and, that obtained, will be taken by the police officer in charge *himself* to the Magistrate's nazir for payment. The nazir will be careful to pay only to the police officer whose name is on the cheque; and on payment being made, he will obtain that officer's signature, or in the event of his being illiterate, his seal, on the cheque and in his register. The cheque will be filed in the nazir's office. On his return to the station the officer will repay to the officer in charge of the station the full sum he received in advance.

5. Officers in charge of stations will thus always have in hand the permanent advance of Rs. 5 and Rs. 3, and need keep no accounts.

6. The nazir will keep up a register by *stations* in which he will record the cheques when paid. This register will show the number of the cheque, its date, date of payment, purpose for which payment is made, person to whom paid, amount paid, signature or seal of payee. The cost of dieting prisoners, &c., will be charged at the end of the month in the Magistrate's contingent bill.

7. The diet-money shall not exceed one anna per head per diem. The rate of payment for kahárs and coolies will be fixed by the Magistrate.

8. On the 2nd or 3rd of each month each officer in charge of a station will submit to the District Superintendent of Police a memorandum for the previous month of the cheques issued by him during the month. The memo. will give the number and all the information given on the cheque. The District Superintendent will check this memorandum with the Nazir's register and the cheques in the nazir's office.

9. In the case of prisoners or accused persons sent to sub-divisional or Honorary Magistrates, or of corpses or wounded persons sent to branch dispensaries, the police officer of the court, or, in the event of there being none, the officer in charge of the police station, will record on the back of the cheque the date of receipt, the amount due, the name of the police officer in charge, and his own signature. He will then send the cheque through the Court Inspector to the nazir, who will remit the amount to the despatching station, through the office of the District Superintendent of Police.

10. On receipt by the District Superintendent of Police of the Magistrate's written order to despatch accused persons, criminal lunatics, &c., to another district, an English memorandum in duplicate of charges for the railway fare and diet of such persons will be sent to the Magistrate, who will return the duplicate memorandum with the money required to the District Superintendent of Police. No officer under the rank of Reserve Inspector shall sign such memorandum or receive the money sent by the Magistrate.

Printed forms can be obtained form the Superintendent of the Government Press on an indent submitted through the office of the Inspector-General of Police.

Form showing cost of dieting prisoners and accused persons, and of carrying corpses and wounded person.

Name of station.	Name of police officer in charge of the party	Date when made over	Nature of the duty	Number of prisoners or accused persons, or in case of corpses or wounded persons, the number of coolies	Amount advanced.	Remarks.

The following are the rules in force for dieting patients detained in dispensaries on account of injuries which have formed the subject of police inquiry :—

Dieting of patients brought by the police to dispensaries.
Circular No 42A, dated 23rd September 1870.

The District Superintendent of Police should send with each patient or as soon after his admission as possible, a requisition in writing for his admission, and it will be the duty of the officer in charge of the dispensary to see that these requisitions are duly received.

As it would be very difficult to lay down a scale of dietary suitable for all patients suffering from the different kinds of injuries which form the subject of police inquiry, the following three money rates will be allowed for dieting patients of this class :—

1st rate	...	...	15 pies per diem.
2nd "	.	...	... 12 "
3rd "		..	... 9 "

All bills for dieting patients of the above classes to be prepared in the form hereunder and submitted to the Magistrate for payment, with the admission tickets attached as vouchers

The bills must be signed by the officer in immediate charge of the dispensary and countersigned by the Superintendent.

All patients who can afford to pay for their own food should be required to do so at the foregoing rates, or be allowed to make their own arrangements, at the discretion of the Superintendent.

No charge for medicine or attendance should ever be made.

Bill for feeding patients in the———— dispensary on account of injuries which have formed the subject of police enquiry during the month of———— 189 .

Name of patient.	Date of admission.	Date of discharge.	No. of days in hospital	No. of diets.				Cost.
				1st rate	2nd rate.	3rd rate.	Total.	
								Rs. a. p.

I hereby certify that the charges included in this bill were considered absolutely necessary and have been *bonâ fide* incurred.

Officer in charge of the dispensary.

Date *Superintendent.*

Mode of conveyance.
Circular No 30A, dated 6th June 1867.
Circular No. 23A, dated 4th November 1868
Extended to Oudh by G O. No 757A, dated 5th September 1877.

WOUNDED men are not to be sent from police outstations to the sadr station in the doolies used for the conveyance of dead bodies.

Commissioners are authorized to sanction, where necessary, the expenditure required for the construction of a second dooly for 1st and 2nd class stations in the different districts, to be used for the conveyance of the wounded only.

Doolies which may be required for the conveyance of corpses or wounded persons should be constructed on the following plan, or in some similarly light and inexpensive manner, unless there be good reasons to the contrary :—

They should be common country charpáis, with dooly pole attached in the usual way, and the blanket thrown over the pole for shade. When the patient is brought into hospital the dooly pole should be removed and the patient left *in situ* in his bed as he arrived.

DUTIES OF POLICE.

THE Magistrate of a district will invariably, when receiving the indent for supplies for a body of troops about to march through his district, notify the fact of the approaching arrival of the detachment or regiment, as the case may be, to his District Superintendent of Police, intimating to him at the same time the names of the places at which the troops will encamp on their route and the date on which they may be expected to arrive at those places.

Police escorts with *troops*
Police Circular No. 22, dated 1st November 1873, amended by No. 16, dated 27th November 1876.

IN referring complaints of non-cognizable offences to the police for investigation, Magistrates might adopt the following procedure:—

Employment of the police on investigations into complaints of non-cognizable offences.
Circular No. 2, dated 6th February 1882.

1. Before issue of orders to the police to investigate any complaint, the complainant should be examined and the substance of his statement recorded on the back of his petition.

2. In no case should the original petition be made over to the police. Should it appear necessary or advisable, for the proper understanding of the points which require local investigation, to communicate the terms of the petition to the police, a copy of the petition should be sent.

3. The point or points requiring local inquiry should be definitely and specifically stated in the order sent to the police.

4. Only such complaints should be referred to the police for investigation as the Magistrate considers cannot be properly decided without such inquiry, and he should in all cases record on the original petition his reasons for ordering the inquiry.

No orders should be issued to the police for the investigation of non-cognizable crime except through the District Magistrate:—

G. O. No. $\frac{1321}{\text{VIII}-5764}$ dated 15th September 1892.

Magistrates should state in their annual police administration reports how far these rules have been complied with.

POLICE officers of all grades are strictly prohibited from aiding in the supply of labor, carriage or provisions for any purpose whatsoever, and from interfering, under any pretext whatever, with the persons or property of any class of the population otherwise than as required by the law.

Police. Employment of—in obtaining supplies.
Circular No. 1, dated 10th March 1851, extended to Oudh by Circular No. 15, dated 21st February 1880.

Section 29 declares a registered eunuch to be incapable of being or acting as a guardian to any minor, of making a gift or a will, or of adopting a son. But the property of a deceased eunuch does not necessarily escheat to the Crown. The property would be heritable in all other recognized ways except in favour of an adopted son, and a registered eunuch may dispose of his property in any way except by gift or will. Where several eunuchs live in common and the property is not held in severalty, the survivors may generally be allowed to continue in possession. *Chelas* also, provided they lived with the deceased and are themselves eunuchs, may be allowed to inherit.

The following are the rules in force for the making and keeping up and charge of registers of eunuchs and of their property under Part II of Act XXVII of 1871:—

I.—Register of Eunuchs.

A register of all eunuchs liable to registration under the Act, *i.e.*, of all those who are reasonably suspected of kidnapping or castrating children, or of committing offences under section 377 of the Indian Penal Code, or of abetting the commission of any of the said offences, shall be made by the District Superintendent of Police in the form (No. 1) annexed to these rules.

The register shall be submitted as soon as possible after preparation to the Magistrate of the district, who is empowered to add to or omit any names as he may think proper.

When finally approved by the Magistrate, the register shall be deposited in the office of the District Superintendent of Police. Each police station shall be furnished with an extract from the register showing the registered eunuchs living within its jurisdiction.

The register shall be revised from time to time as the Magistrate may direct, and no name shall be erased or added, and no alteration made, without the sanction of the Magistrate or by the order of the Commissioner on appeal or review under section 25 of the Act. The initials of the Magistrate shall be attached to every alteration made in the register.

The removal (whether temporary or permanent) or death of any registered eunuch shall be reported by the officer in charge of the police station through the District Superintendent of Police to the Magistrate, who, in the case of a death, will order the deceased's name to be erased, and in the case of removal, if the removal be to another district, inform the Magistrate of the district to which the eunuch has removed, with the view to his name being brought on the register of that district. The names of those who have removed should not be erased from the register till one year after

Magistrates of districts are required to report at the time for the information of the Government (through Commissioners of divisions) any erasures from the register that may be made by them on grounds other than death or removal from the district: reasons in detail for the action taken should be invariably given.

G. O No $\frac{1159}{\text{VIII}-529\text{A}}$ / 1 dated 7th October 1893.

II.—Register of the Property of Registered Eunuchs.

A register of the property of all registered eunuchs shall be made by the Magistrate of the district in the form (No. II) annexed.

It shall be deposited in the Magistrate's office, and extracts from it shall be sent for record in the police station within which each registered eunuch resides.

It shall be revised from time to time, but no alteration shall be made in it except by, or by order of, the Magistrate, whose initials shall be attached to every such alteration.

Information shall be given by the police to the Magistrate of any alienation by registered eunuchs of their property or of any acquisition of new property.

Form No. I.

Register of eunuchs in the district of ——————— coming under section 24 of Act XXVII of 1871.

Index No.	Name.	Father's name.	Age.	When emasculated.	*Place of residence*		District and towns frequented by them.	Ostensible means of livelihood	Remarks.
					Village	Pargana			
1	2	3	4	5	6		7	8	9

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The register shall be submitted as soon as possible after preparation to the Magistrate of the district, who is empowered to add to or omit any names as he may think proper.

When finally approved by the Magistrate, the register shall be [illegible] Superintendent of Police. Each [illegible] the register [illegible] [illegible]liction.

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When the co-operation of native darbárs and Political Agencies is desired on the occurrence of serious cases of dakáti or similar crimes on the borders of British territory, an official communication to that effect may be addressd to the headquarters of

Serious cases of crime on the borders of British territory—
Circular No. $\frac{3}{VIII-33-5}$, dated 17th May 1884.

...nection with occurrences

REWARDS.

Rewards for the apprehension of Criminals
Circular No. 1415, dated 10th August 1854.
G. O. No. $\frac{234}{\text{VIII}-40A}$, dated 15th April 1850.
Circular No. 19A, dated 3rd July 1873.

COMMISSIONERS are authorized (subject to divisional budget allotment) to grant rewards for the apprehension of criminals to an amount not exceeding Rs. 500 *for each criminal*, without reference to Government for sanction. All applications for the grant of rewards by G[illegible] that amount should be submitt[illegible] . Commissioners. In no case s[illegible] a reward be made to Government direct.

The rewards authorized by them within the above limit should be carefully apportioned according to the gravity and the special circumstances of the case.

F[illegible] ffences for the apprehension o[illegible] er of rewards exceeding Rs. 1[illegible] will be made without delay

A sum is provided in the yearly police budget for each division on account of rewards for the apprehension of proclaimed offenders. If a Commissioner exceeds the amount allotted to his division, he has to apply for an additional grant.

Home Department No. $\frac{14}{1283}$, dated 15th October 1874.

In drawing up a notification offering a reward for the capture of an offender, the words "dead or alive" must not be used, as they are liable to misconstruction.

—for the discovery of treasure.
No 1392, dated, 14th August, 1880.

THE rewards sanctioned by the above may also be granted for information leading to the discovery of treasure.

(*N. B.—For rewards for wild animals, see General Department of this Manual, page 124); and in Excise and Opium cases, see, Excise Manual.*)

SALUTES—POLICE OFFICERS.

As the pilice are a civil body, officers belonging to it cannot claim any salites from soldiers.

Police officers. Rules for saluting—

India's No. $\frac{2543}{E}$, dated 27th November 1830.

As regard military officers in police employ, such officers are clearly not entitled to a salute from a soldier, unless the latter knows him to be an officer belonging to the army, when the soldier is bound to salite under the provisions of paragraph 16, section III of the Queen's legulations and Orders, 1895.

SECURITY FOR GOOD BEHAVIO

Security for good behaviour. Annual report required as to—
Circular No. 79A, dated 16th August 1878.

DISTRICT officers should, in submitting the annual trict police report, prepare and include therein a detailed statemer f the working of the law relating to the requirement of secury for good behaviour from persons suspected of bad livelihood.

The report should show—

1. The kind or course of criminal conduct whic the persons convicted were held to follow, as thieving, bullying receiving of stolen property, &c.

2. Whether in all cases the person ordered to nd security had been previously convicted, or, if not, in what nuber of cases this was proved.

3. The circumstances under which the prosecutio had arisen i.e., the number originated—

(a) by the police;

(b) by the Magistrate's order;

(c) by private individuals.

4. The kind of evidence accepted by Magistrates conclusive of the necessity of requiring security.

5. The amount of security demanded, the numbe of cases in which default was made, and the reasons for such def t.

Commissioners of Divisions will, in reviewing the lice reports, state their opinion as to the judiciousness or oth se of each Magistrate's exercise of the powers entrusted to him the present law, and the Inspector-General of Police will sum up e result of these divisional reports in submitting his annual police port.